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OCTOBER-NOVEMBER-DECEMBER
1987

RBAN/MUNICIPAL

MINUTES OF THE MEETINGS
OF THE COUNCIL OF
HAMILTON

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, OCTOBER 13, 1987
7:30 o'clock, p.m.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley,
Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher,
Murray, Ross.

The Reverend Jim Style, St. George's Anglican Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow read the following proclamation:

- (1) "World Food Day" (October 16, 1987).

His Worship Mayor Robert M. Morrow called the meeting to order.

The minutes of the meeting of September 29, 1987, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Conire Enterprises Ltd., 230 James St. South, Hamilton, Ontario, for a modification to the "HH" District regulations for property located at 1053 Main Street West, dated October 7, 1987.
2. Application from Paletta International Corporation, 21 Brockley Drive, Stoney Creek, Ontario, for a change in zoning, properties located at 390 Nebo Road and 1188 and 1196 Rymal Road East, dated October 7, 1987.
3. Application from Tofano and Tofano Investments, 27 Cumminsville Drive, Millgrove, Ontario, for a modification to the "D" S/300 District regulations for property at 305-307 Main Street West, dated October 8, 1987.
4. Application from 690372 Ontario Inc., c/o 900-105 Main St. East, Hamilton, Ontario, for a change in zoning, properties located at 2794 and 2796-2800 Barton Street East, dated October 9, 1987.

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It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following reports, with Alderman Murray in the chair.

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URBAN MUNICIPAL
DEC 3 1987
GOVERNMENT DOCUMENTS

(A) EXECUTIVE COMMITTEE - EIGHTEENTH REPORT.

Recorded vote on Section 4.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

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Recorded vote on Section 8.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Murray. - 13.

NAYS: Aldermen Gallagher, Ross. - 2. CARRIED.

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(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTEENTH REPORT.

Alderman D. Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 4 as he works for the purchaser.

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TRANSPORT AND ENVIRONMENT COMMITTEE - TWELTH REPORT.

It was moved by Alderman Hinkley and seconded by Alderman Cooke.

RESOLVED: that Section 27 of the TWELFTH Report, approved by City Council at its meeting held on Tuesday, September 1, 1987, and reading as follows:

"27. That enforcement of parking meter violations on Saturdays be resumed in the two block section of King Street East between Sanford Avenue and Stirton Street." , be reconsidered. - CARRIED.

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It was moved by Alderman Hinkley and seconded by Alderman Gallagher.

RESOLVED: that Section 27 be referred back. - CARRIED.

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(C) PARKS AND RECREATION COMMITTEE - SEVENTEENTH REPORT.

It was moved by Alderman Gallagher and seconded by Alderman Cowell.

RESOLVED: that Section 4 be referred back. - CARRIED.

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(D) PLANNING AND DEVELOPMENT COMMITTEE - NINETEENTH REPORT.

It was moved by Alderman Wheeler and seconded by Alderman Agro.

RESOLVED: that Section 2 be referred back. - LOST.

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Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Smith, Cowell, Gallagher, Murray, Ross. - 14.

NAYS: Alderman Wheeler. - 1. CARRIED.

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Recorded vote on Section 5.

YEAS: Aldermen Agro, McCulloch, Valeriano, Wheeler, Smith, Cowell. - 6.

NAYS: Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson, Gallagher, Murray, Ross. - 8. LOST.

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Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Murray, Ross. - 14.

NAYS: Alderman Gallagher. - 1. CARRIED.

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Alderman D. Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 19 as he works for the owner.

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Recorded vote on Section 19.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Murray. - 11.

NAYS: Aldermen Cowell, Gallagher. - 2. CARRIED.

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(E) LEGISLATION COMMITTEE - FIFTEENTH REPORT.

It was moved by Alderman Christopherson and seconded by Alderman Copps.

RESOLVED: that Subsection (a) of Section 1 and the NOTE be amended by deleting the figure "180m" in the last line of Subsection (a), and the fourth line of the NOTE, and substituting in lieu thereof the figure "500m".

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It was moved by Alderman Ross and seconded by Alderman Cowell.

RESOLVED: that Subsection (a) of Section 1, and the NOTE, be amended by deleting the figure "180m" in the last line of Subection (a), and the fourth line of the NOTE, and substituting in lieu thereof the figure "1000". -

YEAS: Aldermen Cooke, Agro, McCulloch, Valeriano, Smith, Cowell, Ross. - 7.

NAYS: Mayor Morrow; Aldermen Kiss, Hinkley, Copps, Christopherson,, Wheeler, Gallagher, Murray. - 8. LOST.

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Recorded vote on the resolution of Alderman Christopherson and Alderman Copps to amend Subsection (a) of Section 1, and the NOTE:

YEAS: Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson, Wheeler, Smith, Gallagher, Murray. - 9.

NAYS: Mayor Morrow; Aldermen Agro, McCulloch, Valeriano, Cowell, Ross. - 6. CARRIED.

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(G) FINANCE COMMITTEE - SEVENTEENTH REPORT.

Recorded vote on Section 4.

YEAS: Mayor Morrow; Aldermen Cooke, Cowell. - 3.

NAYS: Aldermen Kiss, Agro, McCulloch, Valeriano, Hinkley,
Copps, Christopherson, Wheeler, Smith, Gallagher,
Murray, Ross. - 12. LOST.

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Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano,
Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell,
Gallagher, Murray, Ross. - 14.

NAYS: Aldermen Kiss. - 1. CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole on the above
reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano,
Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher,
Murray, Ross. - 15.

NAYS: 0. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-37, A-38,
B-76, B-77, B-78, B-79,
D-121, D-122 - CARRIED.

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It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried,
that Council into Committee of the Whole (second reading) to consider
the following Bills, with Alderman Murray in the chair.

A-37, A-38,
B-76, B-77, B-78, B-79,
*D-121, D-122.

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Consideration of the Bills (second reading).

"It was moved by Alderman Ross and seconded by Alderman Gallagher.

RESOLVED: that Bill No. D-121 be amended by deleting the words "social club" in Subsection (a) of Section 1, and inserting in lieu thereof the words "public hall". - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time:

A-37,
B-76, B-77, B-78, B-79,
D-121, D-122 - CARRIED.

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City Council adjourned at 9.20 o'clock, p.m.

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REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its EIGHTEENTH Report for 1987 and respectfully recommends:

1. That the timing for Department Head interviews in the 1988 - 1992 Capital Budget process be deferred from October to mid-November when the status of the Commonwealth Games bid will be known.

NOTE: With the adoption of Section 5 of the Fourteenth Report of the Executive Committee, City Council at its meeting held on July 28, 1987, approved the timetable for the preparation and review of the 1988 - 1992 Capital Budget which provided for the Department Head interviews to take place in October. Notwithstanding the above delay, it is still anticipated that City Council's consideration and approval of the 1988 - 1992 Capital Budget will take place on January 26, 1988.

2. (a) That the project included in the 1987 - 1991 Capital Budget, (Item 35295, Land Acquisition - Fessenden and Gurnett Neighbourhoods), at a gross cost of \$365 000 be proceeded with at a revised gross cost of \$535 000 less recovery through resale of excess lands in the estimated amount of \$368 000 for a net cost to the City of \$167 000.
- (b) That the cost of this project at a revised gross cost of \$535 000 (formerly \$365 000) less recovery through resale of excess lands in the estimated amount of \$368 000 (formerly \$285 000) in the net amount of \$167 000 (formerly \$80 000) be financed from the 1987 Capital Levy Account No. 0376-0298.

NOTE: Section 3 of the Thirteenth Report of the Transport and Environment Committee, adopted by City Council on September 29, authorized the Real Estate Department to negotiate the acquisition of four properties, namely 324 and 332 Magnolia Drive and 118 and 128 Guildwood Drive. These properties are required for the construction of a municipal walkway connecting the Fessenden and Gurnett Neighbourhoods.

3. That the City owned parking lot on Magill Street, contiguous to the Construction House of Hamilton Ltd. at 370 York Boulevard be maintained for an extended period of six months in anticipation of demand likely to result from proposed commercial expansion within the neighbourhood.

NOTE: On the recommendation of the Parking Authority, City Council on April 2, 1986, closed the facility for a period of six months to assess the impact on the neighbourhood.

On October 14, 1986, City Council permanently terminated the facility pursuant to a negative impact report from the Parking Authority. The Real Estate Division was then authorized to sell the property primarily to the neighbouring Construction House, and secondarily on the open market. The City was unable to negotiate a fair market value with the Construction House.

On February 24, 1987, City Council in review, directed that the facility be retained for a continued six months in anticipation of impending commercial activity in the neighbourhood, which was expected to create a demand for the facility.

The commercial development anticipated has been delayed through zoning amendments and other development details. Accordingly, the expected impact on the parking facility cannot yet be ascertained.

It would appear that said development will take place in 1988, and with this in view, The Executive Committee recommends that the parking facility be maintained by the City for an additional six month period.

- * 4. That the monthly parking rate of \$15 which has been in effect since October, 1985 for Municipal Car Park No. 66 - Cannon and Bay Streets be increased to \$20 monthly effective January 1, 1988.

Note: This facility was developed for use in connection with the Arena/Trade Centre and is operated by the Authority, on a management fee basis, on behalf of the Corporation. Since usage was to be rather limited, other than on event nights, monthly permits were made available for use only from Monday to Friday, between the hours of 8:00 a.m. and 6:00 p.m., for \$15. each. (Monthly permits on comparable parking facilities in the C.B.D. were \$30. each.)

Arrangements were made to provide Navistar Corporation with approximately 80 permits to be valid only from Monday to Friday, and from 8:00 a.m. to 6:00 p.m., at the monthly rate of \$15.

The lot is expected to operate at a deficit of \$10 500. in 1987.

Current rates for permits on surface lots in the C.B.D. are \$40.

- * Recorded Vote, see page 1949

5. That the purchase of the former Hamilton Foundry site for parks purposes at \$425 000 as approved by City Council on September 29, 1987 with the adoption of Section 10 of the Sixteenth Report of the Parks and Recreation Committee be financed from the "Reserve for Lands Acquired Under The Planning Account No. 0280-11.
6. That Alderman T. Cooke and Alderman D. Christopherson be authorized to attend the Ontario Non-Profit Housing Conference to be held in Windsor, Ontario October 21 - 23, 1987.
- * 7. That the City of Hamilton purchase two (2) tables for the Gallery of Distinction Dinner, scheduled for Wednesday, October 28th, 1987 (consisting of ten seats per table at \$40 per seat) at a total cost of \$800. and that this expenditure be financed from the Unclassified Account - Account No 0378-27XX.
- ** 8. Approval of the recommendation of the Board of Director's of the Hamilton Entertainment and Convention Facilities Inc. that Mr. B. K. Conacher, Managing Director/Chief Executive Officer of HECFI be designated in pay Grade 26 of the HECFI salary plan, as an employee at a salary rate of \$80 000, plus the 4 1/2 per cent economic adjustment for a total salary of \$83 600 per annum, effective January 1, 1987.
9. (a) That the City owned property, known as the former West Avenue School, located on the south west corner of West Avenue North and Barton Street East be leased to The Salvation Army for the period November 10, 1987 to January 5, 1988 for the nominal sum of \$1. with the tenant being responsible for all utility costs incurred during the occupancy of the building and the tenant indemnifying the City harmless as a result of their occupancy.
- (b) That approval be given to an expenditure of a maximum of \$2 000. which is estimated to be the cost to reactivate the heating system in the building for this short term use.
- (c) That approval be given to an approved overdraft in the Property Maintenance Division Account No. 0328-1333 - Civic Properties Rented - Repairs & Maintenance Buildings in the sum of \$2 000. representing the estimated cost to reactivate the heating system.

Financing of this approved overdraft will be covered by the unencumbered balance within the Property Maintenance Division's overall budget expected to be realized by the end of the budget year.

* Section 7 Amended, see page 1958

** Recorded Vote, see page 1949

Note: The Salvation Army will be utilizing the building as a collection and disposal centre for goods during the Christmas season.

The expenditure of \$2 000 to reactive the heating system is required inasmuch as the heating system has been shut down for the past two years. The school property was purchased for off-street purposes and City Council recently agreed to take no action to demolish the building, for a period of 90 days in order that a public meeting can be held to determine the future use of the site.

10. That the contract with Falla Construction Limited for additions and alterations to City Hall be increased by \$13 712.43, from \$541 174.25 to \$554 886.68 and that payment of this amount to Falla Construction Limited be approved.

Note: City Council previously approved an increase in the appropriation for the additional work carried out by Falla Construction and approval of the above is to formally approve the increase in the contract amount and to authorize payment for work already performed.

11. That leave be granted to introduce the following Bills:

- (a) **Bill A-37:** A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.
- (b) **Bill A-38:** A By-law to Authorize The Corporation of the City of Hamilton to enter into an Agreement with The Regional Municipality of Hamilton-Wentworth and The Corporation of the City of Stoney Creek to adjust the municipal boundaries between the said local municipalities.

Respectfully Submitted

ALDERMAN WM. MCCULLOCH,
ACTING CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee

1987 October 8
mjlw

* Section 7 Amended to Read:

9. That the City of Hamilton purchase two (2) tables for the Gallery of Distinction Dinner, scheduled for Wednesday, October 28th, 1987 (consisting of eight seats per table at \$40. per seat) at a total cost of \$600. and that this expenditure be financed from the unclassified Account - Account No 0378-27XX.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **FOURTEENTH** Report for 1987 and respectfully recommends:

1. That an Offer to Purchase executed by Louis Serafini on behalf of Bar-Brock Enterprises Ltd. on September 8, 1987 and scheduled for closing 60 days after the enactment of a by-law to sell the closed road allowance of Raeburn Road from Eleanor Avenue to the east end of Raeburn Road, be approved and completed.

NOTE: The subject road allowance measures 33 feet (10 metres) along the easterly limit of Eleanor Avenue by a depth of 153 feet (46.6 metres) more or less. The exact area is to be determined by a survey prepared by the Purchaser to the satisfaction of the Regional Surveyor. The purchase price of \$22 500 is to be credited to account 0280-02. A certified deposit cheque in the amount of \$2 200 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed that this Offer is conditional upon a Judge's Order being granted to close the road allowance of Raeburn Road from Eleanor Avenue to the east end of Raeburn Road.

2. (a) That the City terminate a lease for the City lands north of 120 Ray Street North with Mr. Antonio Spoletti effective January 31, 1987.
- (b) That approval be given to lease the City lands north of 120 Ray Street North to the new owner Rosa Misale at a monthly rental of \$10 plus taxes (estimated to be \$363.00 for 1987) effective February 1, 1987.
- (c) That the City Solicitor be directed to prepare the necessary agreement.

NOTE: Revenue is to be credited to Account 0306-0513. The subject lands measure 12 feet by 66 feet, more or less and are to be used for parking purposes.

3. (a) That an Offer to Purchase executed by Alfred U. Oakie on behalf of the Hamilton Automobile Club on September 15, 1987 and scheduled for closing 60 days after the enactment of a by-law to sell the closed alleyway parallel to Tisdale Avenue South between King Street East and Main Street East, be approved and completed.

NOTE: The subject parcel of land contains 882.67 square feet and is shown as Parts 1, 2 and 3 on Plan 62R-5120. The purchase price of \$4 200 is to be credited to Account 0280-02. A certified deposit cheque in the amount of \$400 is being held by the City Treasurer pending approval of this transaction.

- (b) That an Offer to Purchase executed by Mike Henowik, Secretary-Treasurer of Maindale Properties Limited on September 14, 1987 and scheduled for closing 60 days after the enactment of a by-law to sell the closed alleyway parallel to Tisdale Avenue South between King Street East and Main Street East, be approved and completed.

NOTE: The subject parcel of land contains 64.58 square feet and is shown as Part 4 on Plan 62R-5120. The purchase price of \$310 is to be credited to Account 0280-02. A cash deposit of \$30 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed that these Offers are conditional upon a Judge's Order being granted to close the alleyway parallel to Tisdale Avenue South between King Street East and Main Street East.

On July 31, 1979 in adopting Item 7 of the Twenty Fourth Report of the Traffic and Engineering Committee, City Council approved an application to close the subject alleyway. Under the present legislation, the City is now required to set a price at fair market value for the alleyway to be conveyed.

4. (a) That an Offer to Purchase the property at the north east corner of Upper Gage Avenue and Loconder Drive executed by Walter Galdenzi, President of 568434 Ontario Inc. on September 29, 1987 and scheduled for closing on November 16, 1987 be approved and completed.

NOTE: The subject property has a frontage along the westerly limit of Upper Gage Avenue of 15.105 metres (49.5 feet) by a depth of 45.43 metres/56.07 metres (149.04 feet/183.96 feet) containing 547.80m² (5 896.66 square feet) shown as Part 1 on Plan 62R-6257. The purchase price of \$11 200 is to be credited to Account 0280-02. A certified deposit cheque in the amount of \$1 000 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed that:

- This Offer to Purchase is conditional upon the Purchaser paying to the City land costs in the amount of \$18 910 in addition to the purchase price set out on the first page of this Offer to Purchase,
 - This Offer to Purchase is conditional upon the Purchaser entering into both a Subdivision Agreement with the Corporation of the City of Hamilton and a Subdivision Agreement with The Regional Municipality of Hamilton-Wentworth, for the subdivision entitled "Loconder Gardens"; and that this Offer to Purchase is also conditional upon the Purchaser satisfying both the City Treasurer of all the financial requirements under the Subdivision Agreement with the City, and the Regional Commissioner of Finance of all the financial requirements under the Subdivision Agreement with the Region.
 - All the above conditions have to be satisfied on or before the closing date of November 16th, 1987 at which time the Regional Surveyor is directed to take the necessary actions to incorporate the one foot reserve, shown as Part 2 on Plan 62R-6257, into the road allowance by the passing of a By-law.
 - If any of the above conditions are not satisfied by the closing date set out above, then this Offer to Purchase shall be null and void and the Purchaser's deposit shall be returned in full without interest or penalty.
- (v) That Item One of the 11th Report of the Transport and Environment Committee, approved by City Council on July 28, 1987, be rescinded in its entirety.
5. (a) That the authorization granted by City Council on September 30, 1986, in adopting Item 31 of the 16th Report of the Transport and Environment Committee respecting an Inadvertent Encroachment Agreement at 22 Fairholt Road South, be rescinded;
- (b) That authorization be granted to the City Solicitor's Department to institute such legal action as may be necessary to protect the City's interests.
6. (a) That the authorization granted by City Council on June 24, 1986, in adopting Item 54(g) of the 12th Report of the Transport and Environment Committee respecting an Inadvertent Encroachment Agreement at 20 Burris Street, be rescinded;
- (b) That authorization be granted to the City Solicitor's Department to institute such legal action as may be necessary to protect the City's interests.

7. (a) That the City Solicitor be authorized and directed to prepare a By-law to incorporate PARTS 10 & 11 on Reference Plan 62R-8311 into Elmore Drive.
- (b) That the City Solicitor be authorized and directed to prepare a By-law to incorporate PARTS 7 & 8, Plan 62R-6380 into Greenhill Avenue.
8. (a) That the City confirm to the Ministry of the Environment that it has no objection to the application by Proctor and Gamble Inc. to establish a temporary PCB Storage facility at their designated Burlington Street property provided that:
 - The proponent's property is zoned appropriately for the proposed usage.
 - The special provisions and regulations detailed by the Ontario Ministry of the Environment in their July 17, 1987 correspondence to Proctor and Gamble, be adhered to as specified.
 - When PCB removal technology becomes readily available, and provincial policies regulating this type of activity are in place, Proctor and Gamble officials remove the PCB from their temporary storage site to a licensed processing facility, in a manner approved by the Ministry of the Environment.
- (b) That the Minister of the Environment be requested to expedite proceedings to establish and make operational, a permanent PCB waste destruction facility.
9. That the application by Bozdech Steam Bath to lease a portion of the boulevard of Holton Avenue North adjacent to No. 12 Holton Avenue North be approved, provided:
 - (a) That the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$100.00 per year), plus taxes, if any, in addition to the \$10 annual encroachment insurance charge approved by City Council on 1984 February 14.
 - (b) That the owner pays a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
 - (c) That the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

- (d) That the driveway approach, parking areas and other structures, approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (e) That the owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
10. (a) That the existing Residential Boulevard Parking Agreement registered as Instrument No. 11460 C.D. to the property owner at 252 St. Clair Boulevard be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
- (c) That the owner of the property be permitted to execute a revised Residential Boulevard Parking Agreement requiring that the property owner pay an annual charge of \$20 for encroachment insurance and administration, rather than carry the \$300 000 public liability insurance policy as previously required.
11. (a) That the existing Residential Boulevard Parking Agreement between Arthur Edwin Jones and Vivian Louise Jones and the City, registered as Instrument No. 283232 C.D. to the property at 205 Bold Street be discharged, at the property owners' expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this Agreement.
12. (a) That the existing Residential Boulevard Parking Agreement between Michael Mathews and Verdun Elizabeth Mathews and the City, registered as Instrument No. 413731 C.D. to the property at 53 Chatham Street be discharged, at the property owners' expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
13. (a) That a "No Parking Anytime" regulation be implemented on the south side of Clifton Downs Road between Abbington Drive and Purnell Drive; and
- (b) That the City Traffic By-law 66-100 be amended accordingly.

14. (a) That a stopping prohibition be implemented on the east side of Upper Sherman Avenue, commencing at Concession Street and extending to a point 49 feet northerly therefrom; and
(b) That the City Traffic By-law 66-100 be amended accordingly.
15. (a) That a four-way stop control be implemented at the intersection of Mary and Ferrie Streets;
(b) That the City Traffic By-law 66-100 be amended accordingly.
16. (a) That parking be restored on Sunninghill Avenue, east of Upper Gage Avenue, in front of Nos. 7 and 9.;
(b) That the City Traffic By-law 66-100 be amended accordingly.
17. That \$26 500 be transferred from Account 0350-2619 (Sidewalk Curb Repairs) to the following activities for the hauling and dumping of excavated materials:

0350-0319 (Contractual Services)	\$ 8 320
0350-2661 (Curb Repairs)	12 500
0350 2761 (Sidewalk Repairs)	5 480
18. That the City of Hamilton confirm its commitment of \$750 000 towards the Windermere Basin Rehabilitation Project.

NOTE: This commitment is made on the understanding that the total estimated project cost for the clean up of the Windermere Basin is \$4.5 million to be shared as follows:

City	\$ 750 000
Region	\$ 750 000
Harbour Commission	\$ 500 000
Province of Ontario	\$1 250 000
Government of Canada	\$1 250 000

19. That leave be granted to introduce the following bills:

- (a) B-76 By-law to Widen Guildwood Drive by incorporating therein Part 1, Plan 62R-8966
- (b) B-77 By-law to Widen Gurnett Drive by incorporating therein Part 2, Plan 62R-8966
- (c) B-78 By-law to Amend By-law 66-100 to Regulate Traffic
- (d) B-79 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse
Secretary

1987 October 05

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Parks and Recreation Committee presents its **SEVENTEENTH** Report for 1987 and respectfully recommends:

1. That approval be given:

- (a) To terminate the annual lease with Mr. Charles Farrauto, for the lands at 9 Patrick Street effective June 1, 1987, and
- (b) To lease the lands at 9 Patrick Street to Mr. John M. de Pass for an annual rental of \$10 plus taxes (estimated to be \$450), for landscaping purposes only, effective the first of the month following Council approval.

NOTE: A cash deposit of \$10 to be credited to Account 0306-0513 is being held by the City Treasurer pending approval of this lease.

The subject property has a frontage along the southerly limit of Patrick Street of 44 feet (13.4 metres) by a depth of 100 feet (30.48 metres).

- 2. (a) That an Option to Purchase the property located at 143 Walnut Street South executed by the owner Margaret Annie Harthun on September 17th, 1987 and scheduled for closing on January 14th, 1988 be approved and completed.

NOTE: This property which is required in connection with the proposed development of Corktown Neighbourhood Park has a frontage of approximately 17 feet along the easterly limits of Walnut Street South by a depth of about 120 feet with structures thereon. The purchase price of \$38 000 is to be charged to Account 0408-C66066.

- (b) That an Option to Purchase the property located at 145 Walnut Street South executed by the owners William and Eva Bayne on September 28th, 1987 and scheduled for closing no later than April 20, 1988 be approved and completed.

NOTE: This property which is required in connection with the proposed development of Corktown Neighbourhood Park has a frontage of approximately 25 feet along the easterly limits of Walnut Street South by a depth of about 120 feet with structures thereon. The purchase price of \$43 500 is to be charged to Account 0408-C66066.

3. (a) That an Agreement to lease the property at 255 Young Street to Paul Fram and Patricia O'Connor from October 15th, 1987 to November 2nd, 1987 for the sum of \$1 be approved; and
- (b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

- * 4. That a purchase order be issued to Ontario Turf Equipment Ltd., London, in the amount of \$13 375 including applicable taxes, for the supply and delivery of One Tow Type 5 Gang Mower for Central Garage in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Capital Projects Account #0280-28.

5. That a purchase order be issued to **Turf Care, Markham**, in the amount of \$11 930.50 including applicable taxes, for the supply and delivery of One (1) Groundmaster 72" Outfront Rotary Mower for Parks Division, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in Capital Projects Account #0280-28.

6. That a purchase order be issued to **Turf Care, Markham**, in the amount of \$27 753.39 including applicable taxes, for the supply and delivery of One (1) Reelmaster, 7 Gang Hydraulic Mower for Parks Division, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: As this equipment is required for fall cuttings, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, which states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Only acceptable of two (2) tenders received. Funds provided in Capital Projects Account #0280-28.

- * Section 4 Referred Back

7. That authorization be given to leave the swings up in City Parks on a year-round basis subject to the continued provision of weekly safety inspections by staff.
8. That the terms and conditions as appended hereto, with respect to the fireworks display in connection with the St. Anthony of Padua Annual Feast at Ivor Wynne Stadium commencing in 1988, be approved, and further that:
 - (a) The organizers be required to have Public Liability and Property Damage Insurance, naming the City as insured in an amount satisfactory to the City.
 - (b) That the organizers request the Licenced Operator to have adequate insurance, for his own protection.
9. That \$175 000 be transferred from the Reserve for Lands conveyed to the City for Public Purposes (Parkland) Account No. 0280-11 to the Corktown Priority Parkland Account No. 0408-C66066.

NOTE: There is about \$1.7 million in the General Fund for Priority Parks.

Corktown is a Priority One Park. These are the last three remaining properties to be purchased.

At present the owners of:

- 141 Walnut Street South, the estate of Oaklie Downie;
- 143 Walnut Street South, Margaret Harthun; and,
- 145 Walnut Street South, William and Eva Bayne

are willing to sell to the City. It is estimated that it will cost in the range of \$175 000 to purchase 141, 143 and 145 Walnut Street South.

The Park is to be developed as part of the Corktown/Stinson Community Improvement Plan. Ontario Neighbourhood Improvement Programme funds are available for the development of the Park.

The Corktown Priority Park Account contains an unencumbered balance of \$500.

10. (a) That the offer by Ontario Hydro to landscape the hydro right-of-way between Barton Street and Princess Street along the west side of Birch Avenue, entirely at Ontario Hydro cost in exchange for the annual maintenance cost (estimated 1987 cost is \$3 500) to be undertaken by the City of Hamilton at the City of Hamilton's cost, be accepted.
 - (b) That the Mayor and the City Clerk be authorized and directed to enter into licence between the City of Hamilton and Ontario Hydro satisfactory to the City Solicitor and the Director of Public Works.
 - (c) That the Public Works Department - Parks Division include sufficient funds for the maintenance of the property in the 1988 Parks Maintenance Budget (approximately \$3 500).
11. That a reduction in membership fee for both Chedoke and King's Forest Golf Courses in the amount of \$75 be made available, by application only, to residents of the City of Hamilton 70 years of age and older.

RESPECTFULLY SUBMITTED,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

R. C. Prowse,
Secretary

1987 October 06
Attach.

/dg

AS REFERRED TO IN SECTION
8 OF THE SEVENTEENTH
REPORT OF THE PARKS
AND RECREATION COMM.

TERMS AND CONDITIONS, COMMENCING 1988, FOR THE USE OF

IVOR WYNNE STADIUM RELATIVE TO FIREWORKS DISPLAY

SPONSORED BY THE

CHURCH OF ST. ANTHONY OF PADUA

1. The size of the shell for "Star" (visual) type fireworks must not exceed 127 millimetres and must not exceed a total of 20 FIRED.
2. "Noise" (non-visual) type fireworks must not exceed 102 millimetres.
3. Daytime displays must be limited to 25 gun salutes (or comparable noise level fireworks), and must not exceed 38 millimetres "shell" size, and must provide for a delay of 5 to 10 seconds between each firing.
4. The number of fireworks displays during the event must not exceed three (3) per day.
5. The evening display must conclude by 10:30 p.m. and must not exceed 20 minutes in duration.
6. Fireworks display must be cancelled if the wind velocity exceeds 25 miles per hour (40 kilometres per hour). The organizers in conjunction with the Stadium Manager, and the fireworks supervisor must contact the Hamilton Weather Office one half (1/2) hour prior to the commencement of each display, for confirmation of same. The Stadium Manager will be the sole authority for determining whether or not to cancel the display due to excessive wind conditions.
7. The organizers must submit to the Department of Culture and Recreation thirty (30) days prior to the event, a "show sheet" specifying the type of fireworks ordered.
8. The Director of Culture and Recreation will meet with the organizers and the licenced operator prior to the event to review the terms and conditions of the Agreement.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **NINETEENTH** Report for 1987 and respectfully recommends:

1. That **APPROVAL** be given to Zoning Application ZA-87-67, The Trustee Board of the Presbyterian Church in Canada, owner, for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District for property located on the north side of Stone Church Road East, in the area east of Upper Sherman Avenue, municipally known as No. 763 Stone Church Road East, as shown on the attached map marked as **APPENDIX "A"**, on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map F-38C;
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Detached) District for property located on the north side of Stone Church Road East in the area east of Upper Sherman Avenue.

The effect of the By-law is to permit development of the subject lands for small lot single-family dwellings.

- * 2. That Zoning Application ZA-87-78, Ivan Mikulic, owner requesting a modification to the "B" (Suburban Agriculture and Residential etc.) District regulations, to permit the height of the existing accessory structure (garage) to be maintained at 4.8m (15.7 ft.) instead of the required 4m (13.12 ft.), for the property located at No. 538 Mountain Brow Boulevard, as shown on the attached map marked as **APPENDIX "B"**, **BE DENIED** as it does not conform with the intent of the Zoning By-law.

- * Motion to Refer Back Lost
Recorded Vote, see page 1950

3. That **APPROVAL** be given to Zoning Application 87-87 My Linh Nguyen, owner, requesting a modification to the established "D" (Urban Protected Residential One and Two Family Dwellings, Townhouses, etc.) District, to permit a hairdressing business as a "Home Occupation" use within a portion of a dwelling located at No. 137 Queen Street North as shown on the attached plan marked as **APPENDIX "C"** on the following basis:

- (a) That the "D" (Urban Protected Residential - One and Two Family, Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of By-law No. 6593, applicable to the subject property be modified to include the following as special requirements:
 - (i) That notwithstanding the provisions of Section 2.(2)(H)(iii)(f) and (h) of By-law No. 6593, hairdressing shall be permitted as a home occupation:
 - 1. carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,
 - 2. providing for not more than one comb-out centre and one hair styling sink.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1043, and that the subject land on Zoning District Map W-11 be notated S-1043;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-11; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the established "D" (Urban Protected Residential One and Two-Family Dwellings, Townhouses, etc.) District regulations applicable to property located at No. 137 Queen Street North, as shown on the attached plan marked as **APPENDIX "C"**.

The effect of the By-law is to permit a hairdressing business, operated as a home occupation for one hairdresser only. In addition, the By-law limits the hairdressing business to one comb-out centre and one hair styling sink.

4. That **APPROVAL** be given to Zoning Application ZA-87-73, Vince P.DiBernardo, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District and "R-4" (Small Lot Single-Family Detached) District, for property located at No. 1324 Upper Sherman Avenue, as shown on the attached map marked **APPENDIX "D"**, on the following basis:

- (a) That the lands described as Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the lands described as Block "2" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-27C;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for the following changes in zoning with regard to property located at No. 1324 Upper Sherman Avenue, as shown on the attached map marked as **APPENDIX "D"** on the following basis:

Block "1" - Change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

Block "2" - Change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.

The effect of the By-law is to permit development of Block "1" for single-family dwellings, and development of Block "2" for small lot, single-family dwellings.

- * 5. That **APPROVAL** be given to Zoning Application 87-61, Ritlyn Investments Limited, owner, requesting a further modification to the established "D" (Urban Protected Residential--One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as **APPENDIX "E"** on the following basis:

* Section 5 Lost, Recorded Vote, see page 1950

(a) That the "D" (Urban Protected Residential--One and Two-Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 86-251, passed by City Council on August 26, 1986, applicable to the subject property, be further amended to include the following variance as special requirements:

(i) That notwithstanding the provisions of Section 10.(1) of By-law No. 6593, the following additional commercial uses shall be permitted within the existing building:

1. Retail variety and grocery store;
2. Flower shop; and
3. Drug store.

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-973A, and that the subject lands on Zoning District Map W-14 be notated S-973A;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14; and,

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a further modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as **APPENDIX "E"**. The effect of the By-law is to permit in addition to a dry cleaning pickup service use within the existing building, the following commercial uses:

- (a) Retail variety and grocery store;
- (b) Flower shop;
- (c) Drug store.

THE ABOVE RECOMMENDATION RESULTED IN A TIE VOTE AT THE PLANNING AND DEVELOPMENT COMMITTEE AND IN ACCORDANCE WITH CITY POLICY IS BEING FORWARDED TO CITY COUNCIL FOR DECISION.

* 6. That **APPROVAL** be given to a further amended Zoning Application ZA-87-51, Wellington Chase Inc., owner, requesting changes in zoning for the property located on the south side of Stone Church Road East, in the area east of Upper Wellington Street, as shown on the attached map marked as **APPENDIX "F"**, on the following basis:

(a) That the lands shown as Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

* Recorded Vote, see page 1950

- (b) That the lands shown as Blocks "2", "3" and "4" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District, modified to "C" (Urban Protected Residential, etc.) District.
- (c) That the lands shown as Blocks "5" and "6" be rezoned from "RT-30" (Street-Townhouse) District to "C" (Urban Protected Residential, etc.) District.
- (d) That the lands shown as Block "7" be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-10" (Townhouse) District.
- (e) That the lands shown as Blocks "8", "9" and "10" be rezoned from "C" (Urban Protected Residential, etc.) District to "E-2" (Multiple Dwellings) District.
- (f) That the lands shown as Block "11" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District, modified to "E-2" (Multiple Dwellings) District.
- (g) That the lands shown as Block "12" be rezoned from "E-2" (Multiple Dwellings) District, modified to "E-2" (Multiple Dwellings) District.
- (h) That the lands shown as Block "13" be rezoned from "RT-30" (Street-Townhouses) District to "E-2" (Multiple Dwellings) District.
- (i) That the lands shown as Blocks "14" and "15" be rezoned from "RT-30" (Street-Townhouse) District to "G-1" (Designed Shopping Centre) District, modified.
- (j) That the lands shown as Block "16" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District, modified to "G-1" (Designed Shopping Centre) District, modified.
- (k) That the lands shown as Block "17" be rezoned from "E-2" (Multiple Dwellings) District, modified to "G-1" (Designed Shopping Centre) District, modified.
- (l) That the "G-1" (Designed Shopping Centre) District regulations, as contained in Section 13A of Zoning By-law No. 6593, applicable to those lands shown as Blocks "14", "15", "16", and "17", be modified to include the following variance as special requirements:

(i) Notwithstanding Section 13A(1), the following commercial uses shall be prohibited:

- 1) a carnival show
- 2) a circus
- 3) a commercial school
- 4) a liquor dispensary or brewers warehouse
- 5) a pet shop
- 6) a bowling alley or billiard hall
- 7) a place or amusement that provides only childrens' rides and penny arcades
- 8) an automobile service station
- 9) a manual car wash, a mechanical car wash, a coin operated car wash, a high speed mechanicla car wash

(m) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1044, and that the subject lands on Zoning District Map E-18D be notated S-1044;

(n) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18D;

(o) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for changes in zoning for the property located on the south side of Stone Church Road East, in the area east of Upper Wellington Street, as shown on the attached map marked as **APPENDIX "F"**.

The effect of the By-law is to permit the development of the subject lands for single-family dwellings (Blocks "3", "4", "5" and "6"), townhouses (Block "7"), multiple dwellings (Blocks "8", "9", "10" "11" and "12") and shopping centre (Blocks "13", "14", "15", "16" and "17"). Block "1" and "2" permit development for single-family dwellings however, they are proposed to be used for the purposes of a school.

7. (a) That **APPROVAL** be given for Application SA-87-15, Vincent P. DiBernardo, owner, to establish a draft plan of subdivision on the west side of Upper Sherman Avenue and on the south side of Ruby Street, subject to the following conditions:

(i) That this approval apply to the plan prepared by A. J. Clarke and Associates dated 1987 June 8, showing 13 lots, 2 blocks and street widenings, revised to delete the street widening for Upper Sherman Avenue and to show the street widening for future Rushdale Drive as Block 16.

- (ii) That the road widening (Block 16) be dedicated as a public highway on the final plan.
 - (iii) That the final plan conform to the Zoning By-law approved under the Planning Act.
 - (iv) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - (v) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority, including a 9.0m easement for sewers over part of Lots 8-12 inclusive to the Regional Municipality.
 - (vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot on the final plan.
 - (vii) That the owner shall erect a sign in accordance with Section X of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (viii) That the Final Plan for Lots 9 to 13 inclusive and Blocks "14", "15" and "16" not be approved prior to Registration of "High Ridge Estates - Phase 3" (under Regional File No. 25T-86022).
 - (ix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-15), Vincent P. DiBernardo, owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
8. (a) That **APPROVAL** be given for application SA-87-11, Wellington Chase Inc., owner, to establish a draft plan of subdivision at the south-east corner of Stone Church Road East and Upper Wellington Street, subject to the following conditions:

- (i) That the approval apply to the plan prepared by Ashenhurst Nouwens Limited, dated 1987 February, revised to delete Lots 180 to 194 inclusive (to become part of the abutting block) and to renumber the subsequent numbered lots and blocks accordingly; to relocate the northerly access road to centre on the proposed sewer, to divide the area between the two access roads into two blocks, to show minor street roundings, and lotting changes, to add a 0.3m reserve as Block "196" and to add certain dimensions for the street widenings and daylight corners.
- (ii) That the road allowances and widenings for Stone Church Road East (Block "194") and Upper Wellington Street (Blocks "194", "195" and "198") be dedicated as public highway on the final plan.
- (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (iv) That the final plan conform with the zoning by-law approved under The Planning Act.
- (v) That the owner convey 5% of the land included in the final plan to the City of Hamilton for park purposes pursuant to the provisions of The Planning Act. This condition can be fulfilled by applying a credit for parkland conveyed from Phase 1 of the development.
- (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
- (viii) That the dead-end of the road allowance created by the plan be terminated in a 0.3m reserve (Block "196") to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road.
- (ix) That Block "192" be developed only in conjunction with abutting lands.
- (x) That Block "193" be set aside as a Separate School Site to be acquired by the Hamilton-Wentworth Roman Catholic Separate School Board.
- (xi) That the owner shall erect a sign in accordance with Section X of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.

- (xii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
 - (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-11), Wellington Chase Inc., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
9. (a) That APPROVAL be given to Application SA-87-16, 456941 Ontario Ltd., owner, to establish a draft plan of subdivision along Independence Drive and Templemead Drive, subject to the following conditions:
- (i) That this approval apply to the plan prepared by A. J. Clarke and Associates dated 1987 April 10, showing 25 lots.
 - (ii) That the final plan conform with the Zoning By-law approved under The Planning Act.
 - (iii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - (iv) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (v) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
 - (vi) That the owner shall erect a sign in accordance with Section X of the Subdivision Agreement prior to the issuance of final release by the City of Hamilton.
 - (vii) That this plan not be registered prior to the passing of a by-law which would establish the abutting roads as public highways.
 - (viii) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-16), 456941 Ontario Ltd., owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

- 10. That the application for severance of 62 Sheaffe Street under the Rental Housing Protection Act be approved.

NOTE: The subject property involves a total of six affordable rental residential units. The applicant wishes to sever one unit at 62 Sheaffe Street and retain the remaining five units at 193 and 197 Bay Street North. The severance is not expected to adversely affect the supply of affordable rental housing, since only one unit would be removed from the provisions of the Act in an area of the City where rental vacancy rates are approximately 2%. The unit is intended to remain rental.

- 11. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following residential buildings:

- (a) 57 Fraser
- (b) 28 Clapham Road
- (c) 32 Clapham Road
- (d) 40 Clapham Road
- (e) 1814 Main Street East

- 12. (a) That the Board of Management, as per the attached, marked as **APPENDIX "G"**, for the Barton General Business Improvement Area be approved, and

- (b) That the City Solicitor be hereby authorized and directed to prepare a by-law to appoint the Board of Management of the Business Improvement Area (B.I.A.) on Barton Street East from Wellington Street to Wentworth Street, as approved by City Council 1987 June 23 (By-law No. 87-178).

- 13. That a Designated Property Grant in the amount of \$2 570 be provided to Mr. F. Ian Bailey, 455 Bay Street North.

14. That an Option to Purchase the property at 391 Sherman Avenue North duly executed by 573667 Ontario Ltd. (Norman Ferguson, President) on 1987 September 11, and scheduled to close on or before 1987 December 5, be approved and completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 22 feet (6.705 metres) by a depth of 90 feet (27.43 metres) comprising an approximate area of 1 980 square feet (183.94m²) with structures erected thereon. The purchase price of \$39 500 in accordance with Schedule "A" attached herewith and marked as **APPENDIX "H"** is to be charged to account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

15. That an Option to Purchase the property at 11 Gerrard Street duly executed by 573667 Ontario Ltd. (Norman Ferguson, President) on 1987 September 11 and scheduled to close on or before 1987 December 7, be approved and completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 19 feet (5.79 metres) by a depth of 95 feet (28.956 metres) comprising an approximate area of 1 805 square feet (167.68m²) with structures erected thereon. The purchase price of \$40 500 in accordance with Schedule "A" attached herewith and marked **APPENDIX "I"** is to be charged to account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

16. That an Offer to Purchase the lands of the Corporation of the City of Hamilton, Lot 38, Plan M-227, Hamilton Industrial Park #1, located on Nebo Road, duly executed on 1987 September 23 by the Purchasers, William Pickard and 441138 Ontario Ltd. and William Castle, and scheduled for closing on 1988 March 23, be approved and completed.

NOTE: The purchase price is \$119 500. A deposit cheque in the amount of \$11 950 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the eastern limit of Nebo Road, having a frontage of 213.62 feet by a depth of 477.35 feet/516.95 feet and containing an area of 2.3902 acres; subject to an easement in favour of Bell Canada as set out in Instrument No. 36953 Barton.

It is understood and agreed that the Vendor upon completion of this transaction will pay a Real Estate Commission on the following basis to Fidelity Realty, 3252 Centennial Drive, Burlington, Ontario, L7M 1M9, whose agent, Robert W. Secord acted in this matter.

1st \$100 000 of Purchase Price - 5%
2nd \$100 000 of Purchase Price - 4%

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto and marked APPENDIX "J".

17. That the City Solicitor be directed to register By-law 86-125 (Heritage Conservation District Designation) on the title of all properties within the St. Clair Heritage District.
18. (a) That **APPROVAL** be given to a City Initiative to introduce additional by-law regulations respecting the location of Adult Entertainment Parlours in the City of Hamilton on the following basis:
 - (i) That an Amendment to the Zoning By-law No. 6593 be initiated to permit Class "H" Adult Entertainment Parlours in "HH" (Restricted Community Shopping and Commercial) Districts; "I" (Central Business, etc.) Districts; "J" (Light and Limited Industrial) Districts; "JJ" (Restricted Light Industrial) Districts; "K" (Heavy Industrial, etc.) Districts; "KK" (Restricted Heavy Industrial) Districts, and M-11 (Prestige Industrial) Districts, subject to a minimum radial separation distance of 500m (1 640 feet) from a residential district;
 - (ii) That notwithstanding clause (i) above, the following seven (7) existing licensed Adult Entertainment Parlours shall be exempt from the radial separation provisions of the new By-law by passing a site-specific zoning By-law Amendment:
 - (1) 92 Barton Street East
 - (2) 1038 Barton Street East
 - (3) 229 Kenilworth Avenue North
 - (4) 150 Centennial Parkway North
 - (5) 1545 Upper James Street
 - (6) 95 King Street East
 - (7) 54 King Street East
 - (iii) That the term, "Adult Entertainment Parlour" be defined as follows:

"Adult Entertainment Parlour" means any premises or part thereof in which is provided, in pursuance to a trade, calling, business or occupation, services appealing to or

designed to appeal to erotic or sexual appetites or inclinations."

- (iv) That the Interim Control By-law No. 85-226 as amended by By-law No. 86-297, be repealed.

NOTE: The purpose of the proposed by-law is to permit "Adult Entertainment Parlours" in certain zoning districts in the City subject to the minimum radial separation distance of 500m (1 640 feet) from a residential district.

The effect of the by-law would be to allow the existing "Adult Entertainment Parlours" under the Licensing By-law and recognize these existing parlours as legal and conforming uses under Zoning By-law 6593.

For the information of the members of City Council, the Legislation Committee also deliberated on this matter and their recommendation on the Licencing By-law 79-144 to City Council is contained in Section 1 of their Fifteenth Report. You will note that the radial separation distance from residential districts differs

- * 19. That the "Commercial" land use designation for the lands south of Loconder Drive, east of Upper Gage Avenue, as shown as Block 4 herewith attached and marked APPENDIX "L", be redesignated to "Attached Housing".

20. That leave be granted to introduce the following bills:

Bill No. D-121 By-law to amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 4A, 4B and 4 1/2 Solidarnosc Place.

Bill No. D-122 By-law to Establish Site Plan Control Respecting Lands Located at Municipal Nos. 4A, 4B and 4 1/2 Solidarnosc Place.

Respectfully submitted,

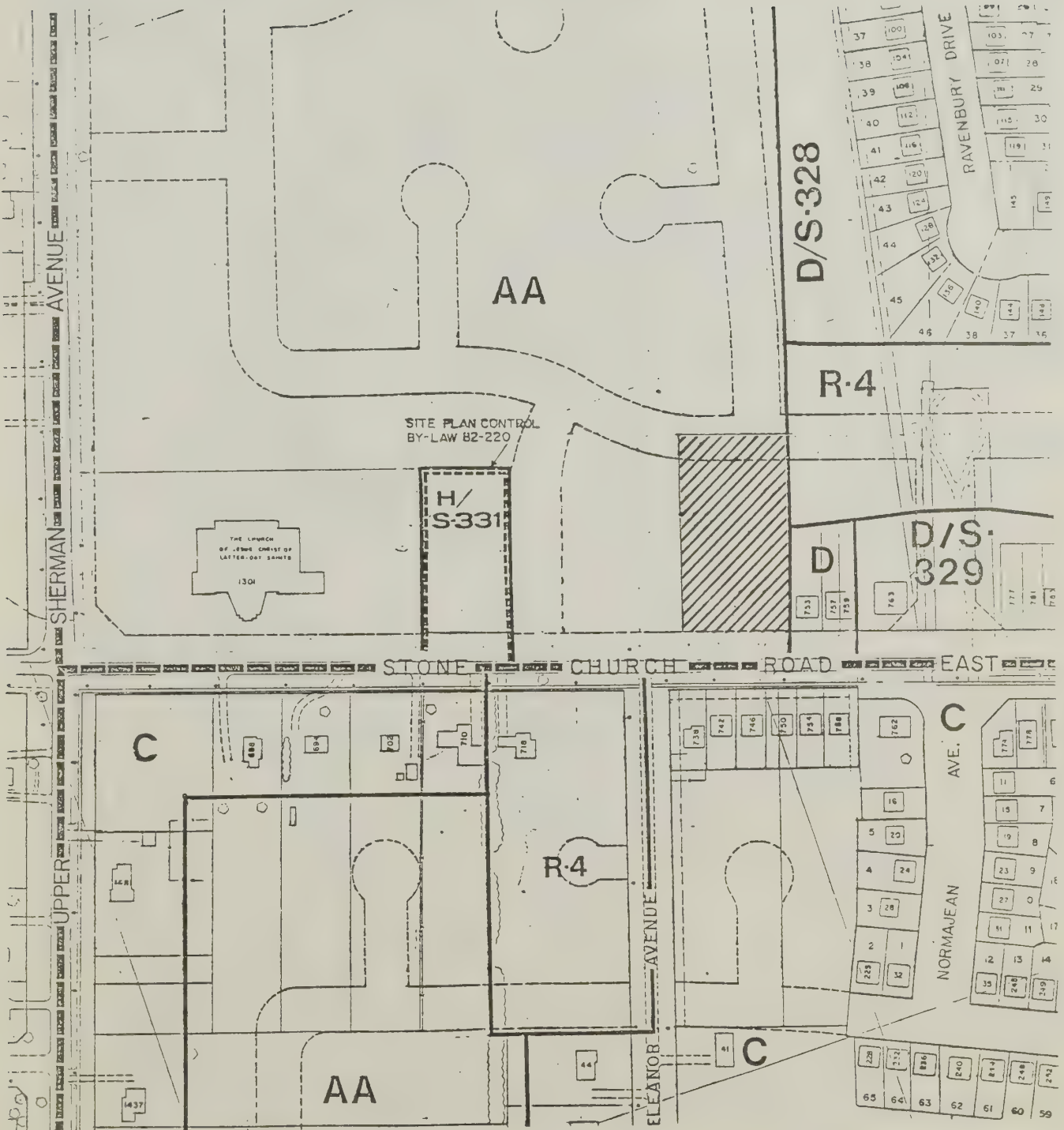
ALDERMAN J. SMITH, CHAIRMAN
PLANNING & DEVELOPMENT COMMITTEE

Susan K. Reeder, Acting Secretary
1987 September 30

* Recorded Vote, see page 1951

-1984--

10/13/87



LEGEND



SITE OF APPLICATION

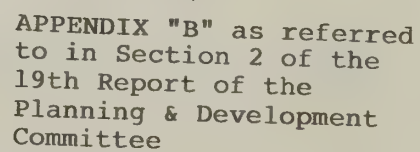
APPENDIX "A" as referred to in Section 1 of the 19th Report of the Planning & Development Committee

APPENDIX A

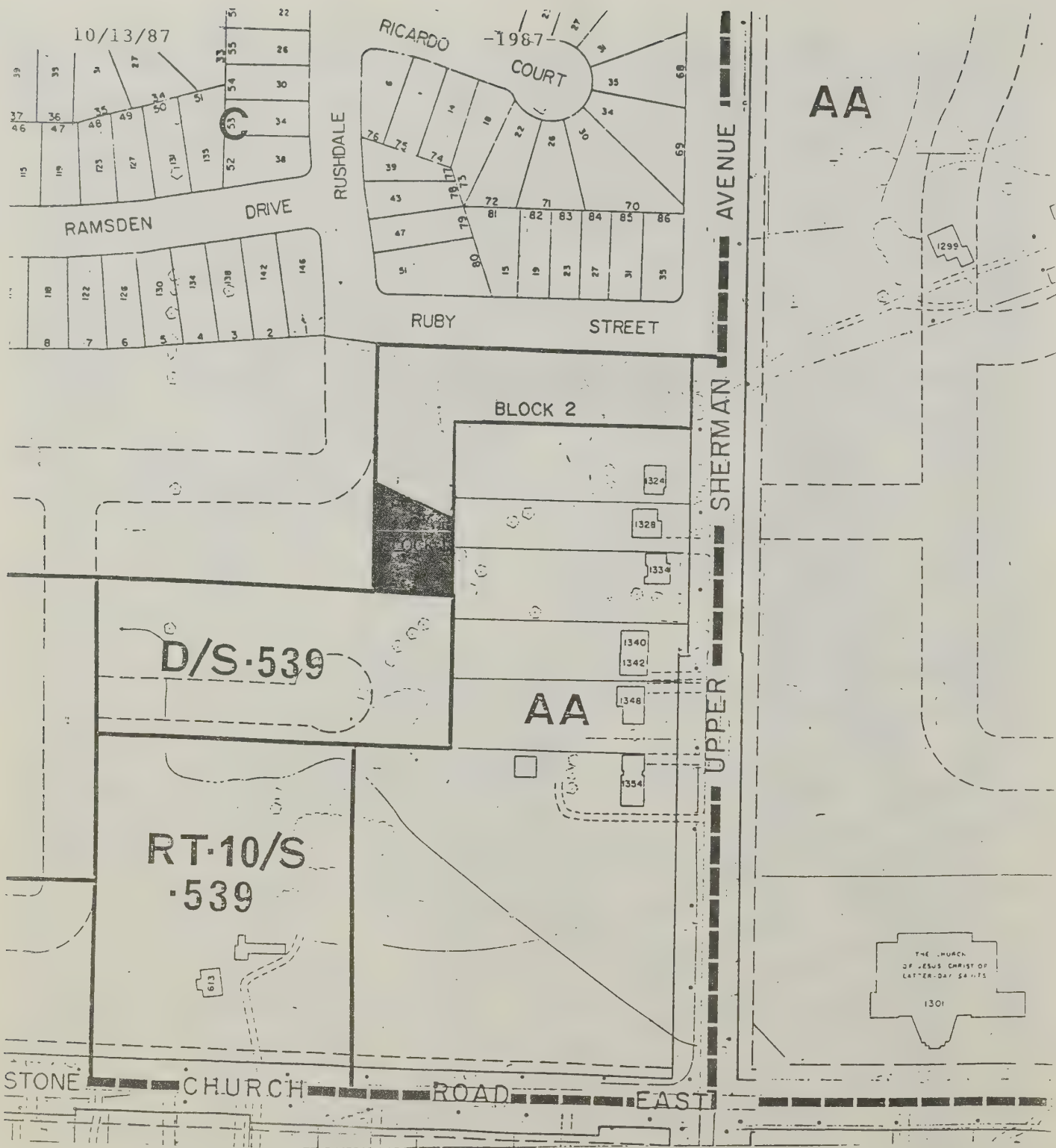
-1985-

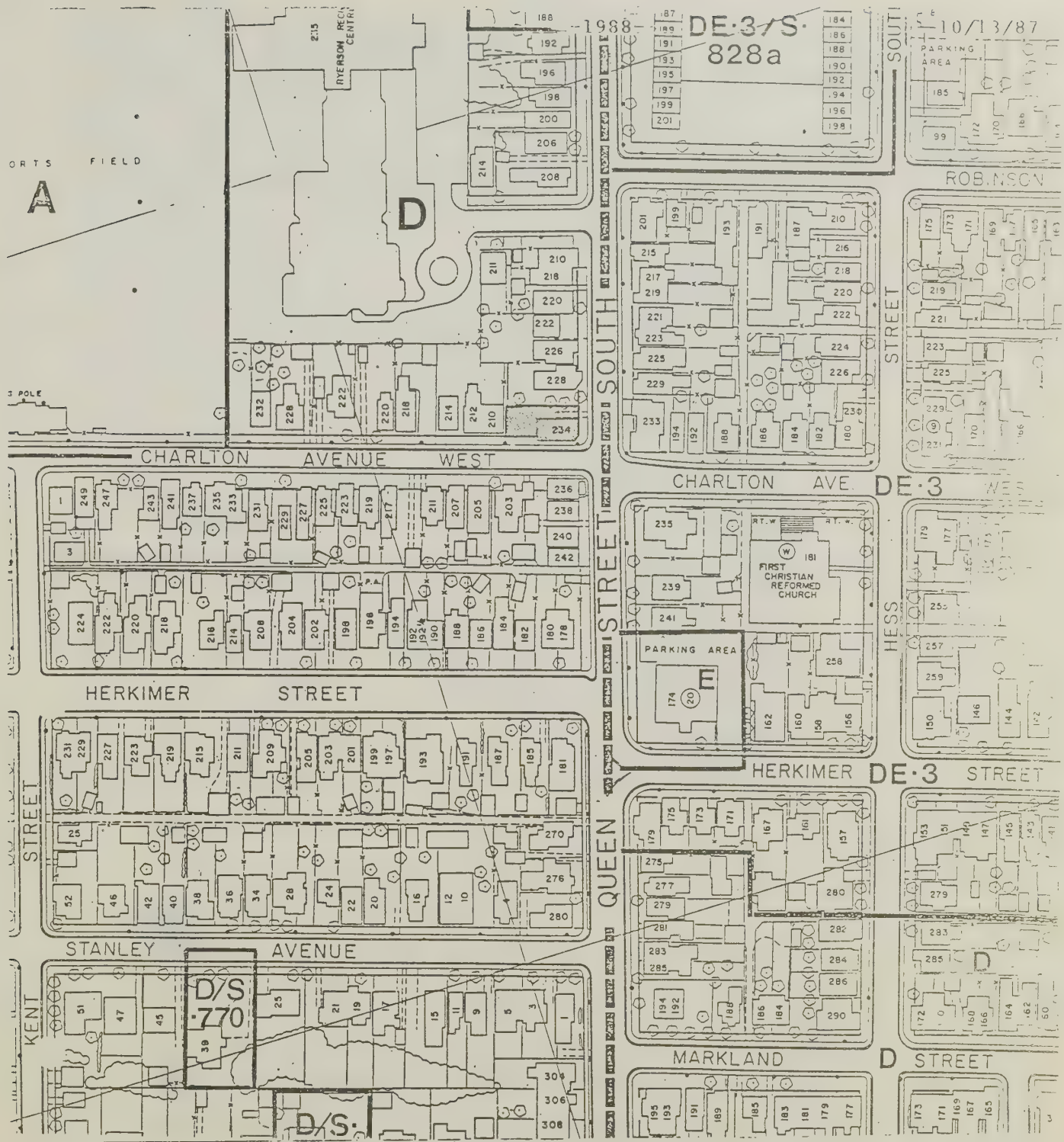


location of garage



APPENDIX "C" as referred to in Section 3 of the 19th Report of the Planning & Development Committee



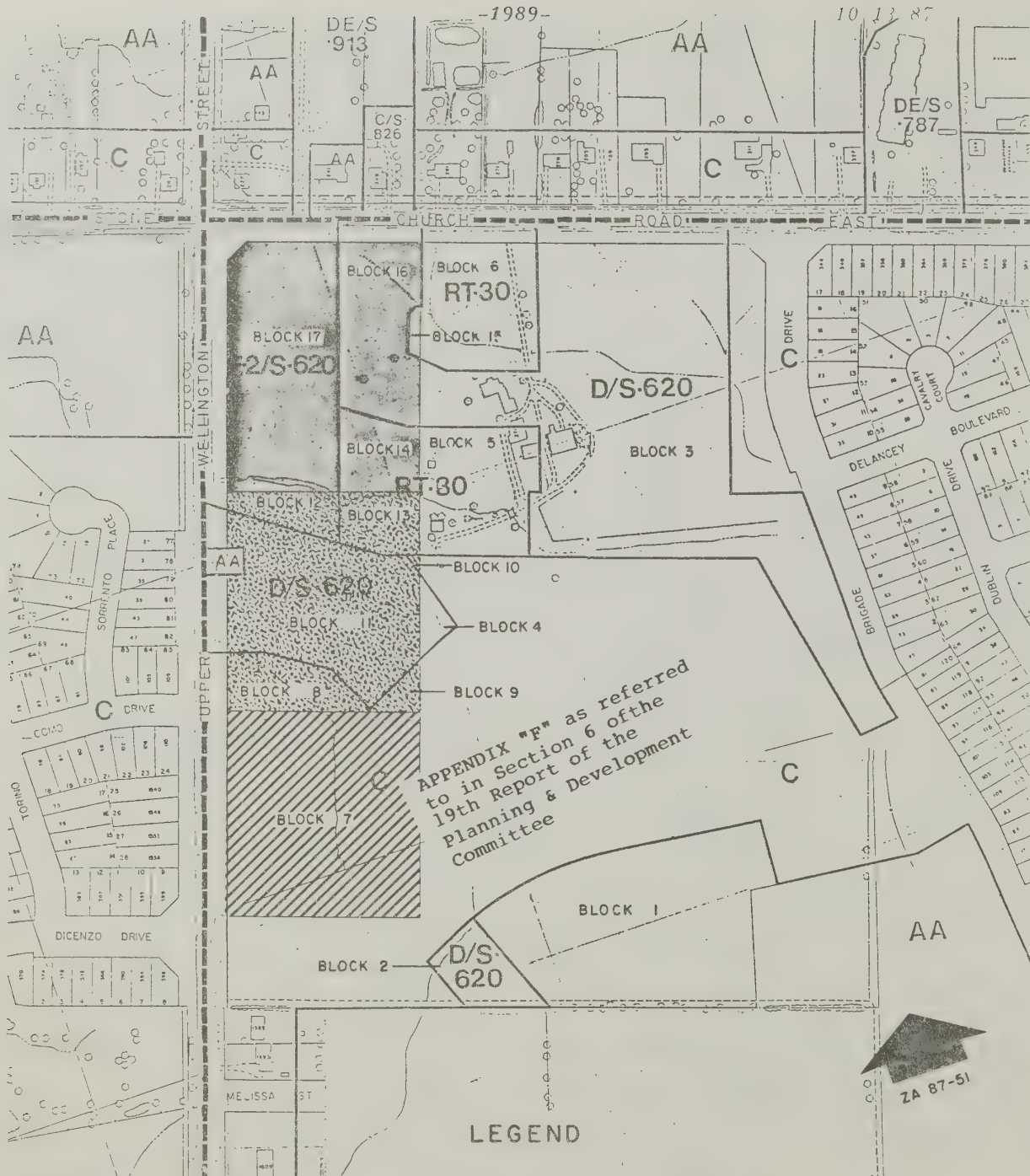


LEGEND



SITE OF THE APPLICATION

APPENDIX "E" as referred to in Section 5 of the 19th Report of the Planning & Development Committee



LANDS FOR WHICH THE FOLLOWING CHANGES IN ZONING ARE PROPOSED

BLOCK 1		"AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.
BLOCK 2, 3 & 4		"D" (URBAN PROTECTED RESIDENTIAL-ONE AND TWO FAMILY DWELLINGS, ETC.) DISTRICT MODIFIED TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.
BLOCK 5 & 6		"RT-30" (STREET TOWNHOUSE) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.
BLOCK 7		"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "RT-10" (TOWNHOUSE) DISTRICT.
BLOCK 8, 9 & 10		"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "E-2" (MULTIPLE DWELLINGS) DISTRICT.
BLOCK 11		"D" (URBAN PROTECTED RESIDENTIAL-ONE AND TWO FAMILY DWELLINGS, ETC.) DISTRICT MODIFIED TO "E-2" (MULTIPLE DWELLINGS) DISTRICT.
BLOCK 12		"E-2" (MULTIPLE DWELLINGS) DISTRICT MODIFIED TO "E-2" (MULTIPLE DWELLINGS) DISTRICT.
BLOCK 13		"RT-30" (STREET TOWNHOUSE) DISTRICT TO "E-2" (MULTIPLE DWELLINGS) DISTRICT.
BLOCK 14 & 15		"RT-30" (STREET TOWNHOUSE) DISTRICT TO "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT, MODIFIED.
BLOCK 16		"D" (URBAN PROTECTED RESIDENTIAL-ONE AND TWO FAMILY DWELLINGS, ETC.) DISTRICT MODIFIED TO "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT, MODIFIED.
BLOCK 17		"E-2" (MULTIPLE DWELLINGS) DISTRICT MODIFIED TO "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT, MODIFIED.

10/13/87

BARTON GENERAL B. I. A.

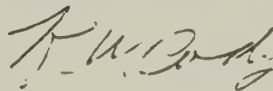
293 BARTON E BOX 900
HAMILTON ONT
L8N 3P6

City Hall, Hamilton, Ont Sept 9/87
Attention City Council;

Barton General B.I.A. board of management request your approval of the following names for our board.

Mr. Farogh Ahmad, Shaheen Enterprises Ltd. 357 Barton E.
Mr. Jim Bota, Bota Herring Ltd. 341 Barton E.
Mr. Keith Cody, Cody's Wallcovering 293 Barton E.
Mr. Valdi Greco, Riveria Banquet Hall 422 Barton E.
Mr. Dennis Howarth, Junk Box 294 Barton E.
Mr. Robert Knatz, C.J.Knatz Ltd. 359 Barton E.
Mr. Murray Korytco, Valco Decor Inc. 347 Barton E.
Mr. Sidney Shumacher, Shumacher Shoes 379 Barton E.
Mr. John Stassis, Dr. Carbunator 316 Barton E.
Mr. Jack Thompson, Jacks Custom Kitchens 338 Barton E.
Mrs. Sara Vizzani, Your Bakery Ltd. 398 Barton E.

Yours Truly



K. W. Cody

Chairman

APPENDIX "G" as referred
to in Section 12 of the
19th Report of the
Planning & Development
Committee

SCHEDULE "A"

391 Sherman Avenue North
Hamilton, Ontario

Owner's Interest
573667 ONTARIO LTD.

ELEMENTS OF COMPENSATION:

Market Value of Realty	\$39,000.00
Legal Fees, re: 391 Sherman Ave. North - -Mr. E. Hunt	<u>500.00</u>
TOTAL COMPENSATION	<u>\$39,500.00</u>

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

It is understood and agreed that the amount of \$39,500.00 is full and final payment of all compensation, interest and cost whatsoever which 573667 Ontario Ltd. might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 391 Sherman Avenue North, Hamilton, Ontario.

DATED at Hamilton this 11th day of September 1987

WITNESS:

573667 ONTARIO LTD.

APPENDIX "H" as referred to in Section 14 of the 19th Report of the Planning & Development Committee

10/13/87

-1992-

APPENDIX "I" as referred
to in Section 15 of the
19th Report of the
Planning & Development
Committee

SCHEDULE "A"

11 Gerrard Street
Hamilton, Ontario

Owner's Interest
573667 ONTARIO LTD.

ELEMENTS OF COMPENSATION:

Market Value of Realty	\$ 40,000.00
Legal Fees, 11 Gerrard Street - Mr. E. Hunt	500.00
	<u> .</u>
TOTAL COMPENSATION	<u>\$ 40,500.00</u>

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

It is understood and agreed that the amount of \$40,500.00 is full and final payment of all compensation, interest and cost whatsoever which 573667 Ontario Ltd., might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 11 Gerrard Street, Hamilton, Ontario

DATED at Hamilton this 11th day of September 1987

WITNESS:

573667 ONTARIO LTD.

S. L. L. L.

[Signature]

- 1(a) -

6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 20,000 square feet, upon the hereinbefore described land by not later than September 23, 1988

Building area is the greatest ~~horizontal~~ area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than September 23, 1989.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Continued.....1(b)

(For Land Titles, May, 1983)

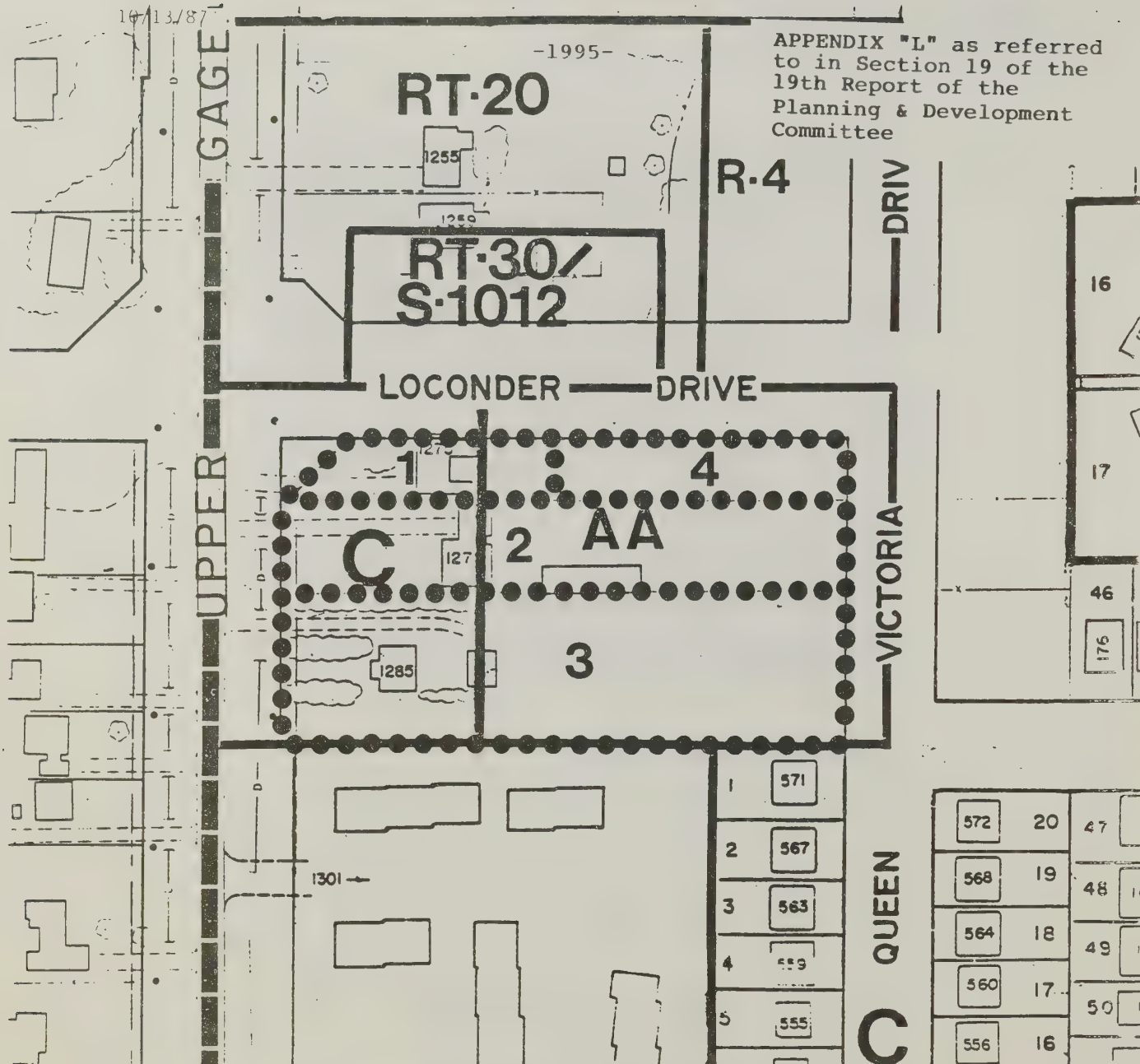
- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
 5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

10/13/87

-1995-

APPENDIX "L" as referred
to in Section 19 of the
19th Report of the
Planning & Development
Committee



	PROPERTY OWNER	ADDRESS	APPROXIMATE LOT AREA (in acres)	%
1	Mr. & Mrs. H. Johnson	1275 Upper Gage Avenue	0.174	0.09
2	Mr. & Mrs. I. Johnson	1279 Upper Gage Avenue	0.647	0.31
3	Mr. & Mrs. A. Boaigo	1285 Upper Gage Avenue	1.037	0.50
4	Mr. W.J. Galdenzi (568434 Ontario Inc.)	578 Queen Victoria Drive	0.213	0.10
TOTAL			2.071	100

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its FIFTEENTH Report for 1987 and respectfully recommends:

- ** 1. *(a) That the City Solicitor be directed to amend the Licencing By-law 79-144 as amended, and passed under the Municipal Act to permit Class "H" Adult Entertainment Parlours in "HH" (Restricted Community Shopping and Commercial) Districts; "I" (Central Business, etc.) Districts; "J" (Light and Limited Industrial) Districts; "JJ" (Restricted Light Industrial) Districts; "K" (Heavy Industry, etc.) Districts; "KK" (Restricted Heavy Industrial) Districts, and "M-11" (Prestige Industrial) Districts, subject to a minimum radial separation distance of 180m (600 feet) from a residential district;
- (b) That the number of licenses granted in the City for Class "H" Adult Entertainment Parlours shall be limited to a maximum of eight (8) licenses;
- (c) That notwithstanding clause (a) above, the existing six (6) licensed Class "H" Adult Entertainment Parlours located within the geographic areas described in APPENDIX "A" be exempt from the radial separation distance provision of the new By-law;
- (d) That provision be made for suitable fines for contravention of the By-law; and,
- (e) That By-law 85-149 and 85-186 be repealed.

* NOTE: The purpose of the proposed by-law is to permit "Adult Entertainment Parlours" in certain zoning districts in the City subject to the minimum radial separation distance of 500m (1,640 feet) from a residential district.

The effect of the by-law would be to allow the existing "Adult Entertainment Parlours" under the Licensing By-law and recognize these existing parlours as legal and conforming uses under Zoning By-law 6593. The total number of licenses to be granted in the City will be limited to eight (8) under the Licensing By-law.

* Section 1(a) & NOTE Amended, see page 1997
Recorded Vote, see page 1951

** Proposed Amendment to Amendment Lost,
Recorded Vote, see page 1951

For the information of the members of City Council, the Planning and Development Committee also deliberated on this matter and their recommendation to City Council is contained in Section 18 of their Nineteenth Report. You will note that the radial separation distance from residential districts differs.

Respectfully submitted

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

S. K. Reeder,
Secretary
1987 September 30

* Section 1(a) Amended to read:

1. (a) That the City Solicitor be directed to amend the Licencing By-law 79-144 as amended, and passed under the Municipal Act to permit Class "H" Adult Entertainment Parlours in "HH" (Restricted Community Shopping and Commercial) Districts; "I" (Central Business, etc.) Districts; "J" (Light and Limited Industrial) Districts; "JJ" (Restricted Light Industrial) Districts; "K" (Heavy Industrial, etc.) Districts; "KK" (Restricted Heavy Industrial) Districts, and "M-11" (Prestige Industrial) Districts, subject to a minimum radial separation distance of 500m (1 640 feet).

* Note of Section 1 Amended to read:

NOTE: The purpose of the proposed by-law is to permit "Adult Entertainment Parlours" in certain zoning districts in the City subject to the minimum radial separation distance of 500m (1,640 feet) from a residential district.

The effect of the by-law would be to allow the existing "Adult Entertainment Parlours" under the Licencing By-law and recognize these existing parlours as legal and conforming uses under Zoning By-law 6593. The total number of licenses to be granted in the City will be limited to eight (8) under the Licensing By-law.

For the information of the members of City Council, the Planning and Development Committee also deliberated on this matter and their recommendation to City Council is contained in Section 18 of their Nineteenth Report. You will note that the radial separation distance from residential districts differs.

APPENDIX "A" as referred to in
Section 1 of the Fourteenth
Report of the Legislation
Committee.

CLASS "H" ADULT ENTERTAINMENT PARLOURS MAY OPERATE ONLY WITHIN EACH OF THE
FOLLOWING AREAS IN THE CITY:

1. The northerly half of the block bounded by Barton Street, Catharine Street, Robert Street and John Street.
2. The block bounded by King Street, John Street, King William Street and Catharine Street.
3. The easterly one hundred and fifty feet of the block bounded by Kenilworth Avenue, Hope Avenue, Robins Avenue and Albany Road.
4. The northerly one hundred and fifty feet of the block bounded by Barton Street, Balmoral Avenue, Campbell Avenue and Rosslyn Avenue.
5. The westerly two hundred feet of the southerly nine hundred feet of the area bounded by Upper James Street, Stone Church Road, Upper Wellington Street and Rymal Road.
6. The westerly three hundred and seventy feet of the block bounded by Centennial Parkway, Violet Drive, Grandville Avenue and Delawana Drive.
7. The block bounded by King Street, John Street, Main Street and Hughson Street.

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Finance Committee presents its **SEVENTEENTH** Report for 1987 and respectfully recommends:

1. That the claims of Keith Patrick be settled in the amount of \$8 982.97 inclusive of interest, costs and O.H.I.P. with the City contributing \$4 491.49 and the insurers of Messrs. Arrell and Festeryga contributing \$4 491.48.

Note: On June 29, 1986, Mr. Patrick fell in a hole in the flagstoned area of the City road allowance on Augusta Street outside the offices of Sullivan, Festeryga and Arrell at 29 Augusta Street injuring his right knee and left elbow. He commenced action against the City claiming damages totalling \$37 000. plus interest and costs. The Committee is recommending this settlement.

2. That the claims of Brenda Fulkerson for personal injuries be settled in the amount of \$3 500. inclusive of interest and costs.

Note: On December 2, 1985, a City motor vehicle driven by Alan Marshall of the Public Works Department rear-ended a motor vehicle owned and operated by Brenda Fulkerson pushing her into a third vehicle. Brenda Fulkerson's vehicle was a total loss in the amount of \$2 108. which amount has already been paid by the City and the other vehicle required repairs in the amount of \$150. which amount has also been paid. Brenda Fulkerson suffered injury to her neck and shoulders in the accident and incurred a wage loss of some \$2 285. A settlement has been negotiated with her solicitor in the amount of \$3 500. inclusive of interest and costs which settlement the Committee is recommending regarding her injuries.

3. That the claims of Lillian Billiard against the City be settled in the amount of \$8 603.95 inclusive of interest, costs and O.H.I.P. (O.H.I.P.'s portion is \$292.29).

Note: On March 26, 1986, Mrs. Billiard fell in an alleyway north of Hunter Street and West of West Avenue due to a depression in the sidewalk and/or roadway adjacent to the curb. Mrs. Billiard fractured her left ankle and sprained her wrists, right thumb, neck and shoulder and brought action against the City claiming damages totalling \$25 000. plus costs and interest. A pre-trial was held before Judge Borkovich on September 14, 1987 resulting in the proposed settlement which the Committee is recommending.

- * 4. That the City of Hamilton request the Regional Assessment Office to reassess the City of Hamilton for its consideration under Section 63 of The Assessment Act in 1989 for taxation in 1990.
5. (a) That the Mayor or his delegate contact the Chairman of the Board of Education of the City of Hamilton with a view to arrange a meeting with City and Education officials to discuss ways and means of approaching the Province of Ontario to improve the grant allocation to the City of Hamilton.
- (b) That the Chief Administrative Officer, the Treasurer and local M.P.P.'s be requested to contact the appropriate officials of the Ministry of Municipal Affairs to discuss the principles involved in the apportionment formula of the Regional levy and the grant calculation methodology of the Resource Equalization Grant (REG).
- (c) That the study of the total structure of Regional government in Hamilton-Wentworth, i.e. single tier, be referenced for discussion to the Executive Committee of the City of Hamilton.
- (d) Where consulting services may be required for any of these financial and administrative matters, that the Auditors of the City, Pannel, Kerr, MacGillivray, be consulted to the extent that this service is covered within their overall auditing fee. If the consulting services go beyond this normal requirement, these additional services should be referenced back to the Finance Committee for consideration.
- ** 6. That the Chief Administrative Officer and Treasurer be authorized and directed to instruct the Management Team to come in with an average expenditure budget for 1988 of not more than 4.5% in time for the October 30, 1987 special meeting of City Council with department heads to discuss budget objectives.
7. **WHEREAS** negotiations have discontinued between Firestone and Cooper Tire and Rubber on the purchase of the Firestone plant; and
- WHEREAS** the City of Hamilton has much to lose in the departure of Firestone from Hamilton; and
- WHEREAS** the Mayor of this City is willing to offer his services to bring about a positive solution respecting the sale of the Firestone plant

* Section 4 Lost; Recorded Vote, see page 1952

** Recorded Vote, see page 1952

THEREFORE BE IT RESOLVED

- (a) That the Federal and Provincial Governments and their appropriate ministries be urged to become actively involved in bringing about a resumption of negotiations between Firestone and Cooper Tire and Rubber and that they be requested to prepare and offer financial incentive proposals to be utilized in successfully bringing about the sale of the Firestone plant to Cooper Tire and Rubber
 - (b) That the Mayor of the City of Hamilton be included as an integral part of the resumption of ongoing negotiations.
8. (a) That the existing grant application and policy for General Grants and Convention/Reception Grants be re-affirmed for the 1988 Grants.
- (b) That the timetable for processing the 1988 Grants, attached hereto as **Appendix "A"**, be approved.

Note: The existing grant policy and application for General Grants and Convention/Reception grants was revised with some minor modifications for the 1987 Grant year. A copy of these policies and applications is available from the Acting Secretary.

Consistent with the prior year's timetable, the grant applications are sent out to perspective applicants in the fall. The 1988 timetable attached as **Appendix "A"** reflects the prior year's experience and recognizes the 1988 Regional Grant timetable that was approved by the Regional Council September 15, 1987. The above recommendations are necessary to initiate the 1988 Grant procedures.

Respectfully Submitted,

Alderman P. O. Valeriano, Chairman
Finance Committee

John Thompson, Acting Secretary
1987 October 6

mjw

Appendix "A"

City of Hamilton
Treasury

1988 GRANTS TIMETABLE

<u>Date</u>	<u>Event</u>
October 14-16, 1987	1988 Applications mailed out to all interested groups.
October 17, 1987	Announcement in The Hamilton Spectator of Grants availability, criteria and deadlines.
November 13, 1987	Deadline for 1988 Grant submissions.
November 16 - December 31, 1987	Applications processed and reviewed by the Grants Review Group.
January 1-15, 1988	Consideration by Grants Sub-Committee of the 1988 Grant applications and finalize recommendations to the Finance Committee.
January 19 - February 23, 1988	Finance Committee considers Grants Sub-Committee recommendations and approves the 1988 Grant requests received to date.
March 1988	Grant appeals to be heard by the Finance Committee.
April 1988	Approval by City Council of the 1988 Grants.

1987 October 6
DKB/an

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, OCTOBER 27, 1987
7:30 O'CLOCK, P.M.

C44 ON HBI AOS
M21
1987

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley, Copps, Christopherson,
Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross.

Major Edward Pearce, The Salvation Army, led the Council in prayer.

His Worship Mayor Robert M. Morrow called the meeting to order.

His Worship Mayor Robert M. Morrow read the following proclamations:

- (1) "Enchanted Gardens Time" (Mum Show) - October 31st to November 15th, 1987.
- (2) "Learn About Your Ombudsman Week" - November 1st to 7th, 1987.

His Worship Mayor Robert M. Morrow made presentations to:

- (i) Winners of the Canadian Commonwealth Games Logo Contest.
- (ii) Hamilton Nationals Soccer Club.

The minutes of the meeting of October 13, 1987, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to By-law Number 87-251, dated October 13, 1987. NO ACTION TAKEN.
2. Application from Basil A. Williams and Edward C. Cummings, P.O. Box 6087, Station "F", Hamilton, Ontario, for a modification to the "M-12" District regulations for property located at 1060 Rymal Road East, dated October 20, 1987.
3. Application from 645437 Ontario Limited, Aaron Barzilay, 49 The Donway West, Suite 330, Don Mills, Ontario, for a modification to the "HH" District regulations for property located at 986-998 Upper Wentworth Street, dated October 23, 1987.
4. Application from Cynthia L. Crease, 110 Mohawk Road East, Hamilton, Ontario, for a modification to the "C" District regulations for property located at 110 Mohawk Road East, dated October 23, 1987.

URBAN MUNICIPAL

DEC 3 1987

GOVERNMENT DOCUMENTS

5. Acknowledgment of flowers and good wishes sent by Mayor Bob Morrow and members of City Council to Mr. K. A. Rouff, City Solicitor. NOTED.

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following reports, with Alderman Murray in the chair.

(A) EXECUTIVE COMMITTEE - NINETEENTH REPORT.

EXECUTIVE COMMITTEE - SIXTEENTH REPORT.

It was moved by Alderman Hinkley and seconded by Alderman Cowell.

RESOLVED: that Section 15, adopted by City Council at its meeting held September 1, 1987, which deals with the payment of monies owing to Pigott Construction Co. into the Courts relative to Copps Coliseum, reading as follows:

- "15. (a) That, in respect of the Copps Coliseum, the City Solicitor be authorized and directed to make application for payment into Court of the monies owing to Pigott equal to the claims of any Sub Contractors, pursuant to the Contract between Pigott and the City dated July 20, 1982.
- (b) That, in the event the existing amount owing to Pigott is less than the amount of the claims of the Sub-Contractors and further monies become owing to Pigott pursuant to the said contract and the existing claims of any Sub-Contractors remain outstanding, the City Solicitor be further authorized to make application for payment into Court of the additional monies owing to Pigott up to the amount of any Sub-Contractors claims.
- (c) Any amounts to be paid into Court shall be less ten percent (10%) to be withheld by the City as Finishing Holdback pursuant to The Construction Lien Act.

NOTE: Pursuant to the Contract between Pigott and the City dated July 20, 1982, the City is entitled to withhold from any payments to Pigott, such amounts as the City deems necessary for its protection in respect of any potential

claims, costs, damages, loss, etc., (for example, see Ham. Form 200A, paragraph .06.02), these are the provisions pursuant to which the City has been withholding payments from Pigott pending repair of the defective piping. These provisions also apply where litigation is pending. In this regard, the City Solicitor has advised that one of the sub-contractors (Canal Contractors) and its sub-contractor (Engineered Sound) have commenced legal proceedings in respect of this project.

In addition, the monies being withheld by the City are "Trust Monies" pursuant to The Construction Lien Act. Accordingly, the City Solicitor is recommending payment into Court in order that the Court may determine which parties are entitled to the monies without further involvement of the City in litigation proceedings.

The amount being claimed by the Sub-Contractors is \$675,052.33. The current confirmed amount owing to Pigott is \$413,688.

However, further amounts yet to be billed by Pigott and confirmed by the City's Consulting Architect will be owing to Pigott."

be reconsidered. - CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Cowell.

RESOLVED: that Section 15 be referred back. - CARRIED.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTEENTH REPORT.

It was moved by Alderman Merling and seconded by Alderman Wheeler.

RESOLVED: that Subsection (a) of Section 12 be amended by deleting the comma and replacing it with the word "and", after the word "stop-up" in the third line, and, further, by deleting the following after the word "close" in the third line:

"... and sell to the abutting owner(s) ...". - CARRIED.

* * * * *

It was moved by Alderman Christopherson and seconded by Alderman Copps.

RESOLVED: That Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting an investigation of the circumstances surrounding a tragic accident at the corner of Cannon and Edgemont Streets. - CARRIED.

* * * * *

It was moved by Alderman Christopherson and seconded by Alderman Copps.

RESOLVED: that the following be added as Section 24:

"24. That in light of the tragic accident on October 22, 1987, at a bus stop on the corner of Cannon and Edgemont Streets, Traffic Department staff be instructed to thoroughly investigate the circumstances surrounding this accident and, in co-operation with the Hamilton-Wentworth Regional Police Department, advise Council as to any improvements that can be made to assist us in preventing similar accidents from occurring. - CARRIED.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Smith and seconded by Alderman Cowell.

RESOLVED: that Section 7 be amended by adding the following after the first paragraph:

"That a neighbourhood meeting be held by the Ward Aldermen, and the immediate community, to discuss the overall impact of this proposal." -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Aldermen Copps. - 1. CARRIED.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - TWENTIETH REPORT.

It was moved by Alderman Cooke and seconded by Alderman Smith.

RESOLVED: that Section 2 be referred back. - CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Ross.

RESOLVED: that Section 8 be tabled until the next regular meeting of City Council. - CARRIED.

* * * * *

Alderman D. Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 16 and he works for the developer.

* * * * *

It was moved by Alderman Smith and seconded by Alderman Ross.

RESOLVED: that Section 20 be referred back. - CARRIED.

* * * * *

PLANNING AND DEVELOPMENT COMMITTEE - SEVENTEENTH REPORT.

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that Sub-Clause (b) of Subsection B of Section 1, adopted by City Council on September 29, 1987, reading as follows:

"(b) That the amending By-law not be forwarded for final passage by City Council until the applicant provides proof to the satisfaction of the City that 16 off-site parking spaces can be provided by way of a lease for a period of at least 10 years or more.

NOTE: The purpose of the By-law is to provide for a modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to property located at No. 1088 Main Street West as shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to exempt the restaurant from providing on-site parking which would be required on the basis of one parking space for every six persons lawfully accommodated."

be reconsidered. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that Sub-Clause (b) of Subsection B of Section 1, be amended to read:

"That the amending By-law not be forwarded for final passage by City Council until the applicant provides proof to the Planning and Development Committee that 16 off-site parking spaces can be provided." - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that Sub-Clause (b) of Subsection B of Section 1 be adopted, as amended. - CARRIED.

* * * * *

(E) LEGISLATION COMMITTEE - SIXTEENTH REPORT.

It was moved by Alderman Agro and seconded by Alderman Christopherson.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting use of City Hall facilities. - CARRIED.

* * * * *

It was moved by Alderman Agro and seconded by Alderman Christopherson.

RESOLVED: that the following be added as Section 10.

- "10. (a) That approval be given to the 'Up with People' Organization to use the City Hall Council Chambers for orientation and meeting locations for the following dates and times:
- (i) Monday, 1987 November 2nd 7.30 p.m. - 10.00 p.m.
 - (ii) Sat., 1987 November 7th 8.00 a.m. - 9.30 a.m.
 - (iii) Sunday, 1987 November 8th 12.00 noon - 1.00 p.m.
 - (iv) Sat., 1987 November 7th 5.00 p.m. - 6.00 p.m.
- (b) That staff overtime for a Property Maintenance Worker to be available for arrangements associated with these events be approved and charged to Account No. 0321-0760 - Use of City Hall Facilities and Equipment by Outside Groups.

NOTE: Approval of the 'Up with People' Organization was granted for a similar request in 1984." - CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman Cooke.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to introduce a resolution re the "Steeler Mile". - CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman Cooke.

RESOLVED: that the City of Hamilton assume the liability of the Hamilton (Y.M.C.A.) Harriers (a non-profit volunteer organization), and all volunteers working on the Steeler Mile which is to be held in Hamilton on Sunday, November 22, 1987. This coverage for the day of the event only. - CARRIED.

* * * * *

LEGISLATION COMMITTEE - ELEVENTH REPORT.

It was moved by Alderman Valeriano and seconded by Alderman Wheeler.

RESOLVED: that Section 12 which was defeated by City Council on July 28, 1987, reading as follows:

- "12. (a) That the City of Hamilton be divided into 12 Wards as outlined on the attached map, marked as Schedule 'B'.
- (b) That the City Solicitor be authorized and directed to prepare the appropriate By-law."

be reconsidered. -

YEAS: Mayor Morrow; Aldermen Agro, Valeriano, Wheeler, Cowell. - 5.

NAYS: Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson, Smith, Gallagher, Merling, Murray, Ross. - 10. LOST.

* * * * *

(A) EXECUTIVE COMMITTEE - SIXTH REPORT.

It was moved by

RESOLVED: that Exhibit AA of Section 1, which was adopted by City Council at its meeting held March 12, 1987, be reconsidered. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson, Wheeler, Smith, Gallagher, Merling, Murray, Ross. - 12.

NAYS: Aldermen Agro, Valeriano, Cowell. - 3. CARRIED.

* * * * *

The question was called on the above.

YEAS: Mayor Morrow; Aldermen Agro, Valeriano, Wheeler,
Cowell. - 5.

NAYS: Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson,
Smith, Gallagher, Merling, Murray, Ross. - 10. LOST.

* * * * *

(F) PERSONNEL COMMITTEE - FIFTEENTH REPORT.

* * * * *

(G) FINANCE COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Valeriano and seconded by Alderman
Cooke.

RESOLVED: that the following be added as Section 6.

"6. That the 'Information Systems Strategy Report'
as prepared by Stevenson Kellogg Ernst & Whinney,
Management Consultants, be referred to the Computer
Advisory Committee for its review and recommenda-
tion." - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole on the above reports,
as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley, Copps,
Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray,
Ross. - 15.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time.

A-39, A-40,
B-80, B-81, B-82, B-83, B-84, B-85, B-86, B-87,
D-1, D-124, D-125,
E-19, E-20, E-21 - CARRIED.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Murray in the chair.

A-39, A-40,
B-80, B-81, B-82, B-83, B-84, B-85, B-86, B-87,
D-123, D-124, D-125,
E-19, E-20, E-21.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-39, A-40,
B-80, B-81, B-82, B-83, B-84, B-85, B-86, B-87,
D-123, D-124, D-125,
E-19, E-20, E-21 - CARRIED.

* * * * *

City Council adjourned at 9.10 o'clock, p.m.

* * * * *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its **NINETEENTH** Report for 1987 and respectfully recommends:

1. That the \$25 000. required for the acquisition and installation of playground equipment at five sites, as approved by the Parks and Recreation Committee on October 20, 1987, be financed from the "Reserve for Acquisition of Lands Under the Planning Act", Account No. 0230-11.

Note: This project is referred to in Item 4 of the Eighteenth Report of the Parks and Recreation Committee.

2. That Mr. Peter Baker be appointed to the position of General Manager, Parking Authority, at the annual salary of \$52 145.60 (Step 3 of Salary Schedule G) effective November 16, 1987.
3. That approval be given to retain the services of Mr. Paul M. Eker, Legal Department, who retires October 31, 1987, on a contractual basis, as "Acting City Solicitor" in accordance with the terms of the Agreement entered into between the City and Mr. Eker.
4. Members of City Council are advised that the Management Committee of the Canadian Football Hall of Fame and Museum, at its meeting held October 19, 1987 accepted the resignation of Mr. William McBride, Managing Director, effective December 31, 1987.
5. That leave be granted to introduce the following Bills:
 - (a) **Bill A-39** By-law to Authorize the Construction of An Addition to the Terryberry Public Library
 - (b) **Bill A-40** By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

Mayor R. M. Morrow, Chairman
Executive Committee

John Thompson, Acting Secretary
Executive Committee
1987 October 22
mjw

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **FIFTEENTH** Report for 1987 and respectfully recommends:

1. (a) That a purchase order be issued to Domtar Inc., Toronto for the supply and delivery of Sodium Chloride as and when required during the 1987-1988 winter season, in accordance with specifications issued by the Co-ordinator of Regional Purchasing and Vendor's tender, as follows:

Price per tonne - \$27.29 based on 22.5 tonne truck loads

Price per tonne - \$95.02 based on 40 kg. bags minimum 600 bags per load

Above prices include applicable taxes

NOTE: Lowest of three (3) tenders received. Funds provided in Stock Material Account #0393-3323.

- (b) That a purchase order be issued to Lakeview Sand & Gravel, Paris for the supply and delivery of Screened Sand, Treated and Untreated, as and when required during the 1987-1988 winter season, in accordance with specifications issued by the Co-ordinator of Regional Purchasing and Vendor's tender, as follows:

Treated Sand - Delivered \$13.35 per tonne; Picked up \$10.70 per tonne

Untreated Sand - Delivered \$6.95 per tonne; Picked up \$3.75 per tonne

Above prices include applicable taxes

NOTE: Lowest of three (3) tenders received. Funds provided in Stock Material Account #0393-3323.

2. (a) That an Offer to Purchase executed by Bert Vandehaar and Dianna Yorke on September 17, 1987 and scheduled for closing 60 days after the enactment of a by-law to stop up, close and sell the portion of walkway adjacent to 59 Lockeed Drive be approved and completed.
- (b) That an Offer to Purchase executed by Kathleen and Jean-Marc Baronette on September 21, 1987 and scheduled for closing 60 days after the enactment of a by-law to stop up, close and sell the portion of walkway adjacent to 63 Lockeed Drive be approved and completed.

- (c) That an Offer to Purchase executed by Michael and Melinda Joseph on September 21, 1987 and scheduled for closing 60 days after the enactment of a by-law to stop up, close and sell the portion of walkway adjacent to 52 Laird Drive be approved and completed.
- (d) That an Offer to Purchase executed by Michael and Marguerite Lynch on September 17, 1987 and scheduled for closing 60 days after the enactment of a by-law to stop up, close and sell the portion of walkway adjacent to 48 Laird Drive be approved and completed.

NOTE: The subject walkway measures 10 feet by 200 feet. Each abutting owner will purchase a parcel 5 feet by 100 feet (more or less) with the exact area to be determined by a survey prepared by the applicants to the satisfaction of the Regional Surveyor. The purchase price of \$1 for each parcel is to be credited to account 0280-02.

It is understood and agreed that the City will remove the concrete walkway and replace with topsoil at no additional cost.

- 3. That the application of Arthur Robert Camporese, Solicitor, on behalf of the present owner(s) of 183 Kensington Avenue South, Mark Sture and Coline Sture, to retain the following inadvertent encroachment consisting of wooded stairs, 0.52m by 1.52m, be approved during the pleasure of City Council, provided:
 - (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125, and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
- 4. That the application of Gary L. Waxman, Solicitor, on behalf of the present owner(s) of 463 MacNab Street, Dorothy Alexander and Edwin Alexander, to retain the following inadvertent encroachment consisting of a 2 storey building, 0.23m by 5.16m, be approved during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125, and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
5. That the application of Mr. A. Rowles, on behalf of the present owner(s) of 554 James Street North, to install and retain the following encroachment consisting of a fabric awning, 1.22m by 1.65m by .91m high, 2.44m above the sidewalk be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125, and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
6. (a) That the "Hamilton and District Labour Council" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from August 29, 1988, to September 5, 1988, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:
- "Labour Day - Parade and Picnic Dundurn Park
Hamilton and District Labour Council ACTWU-LCUCS"
- (b) That the "Hamilton Automobile Club" be permitted to display a promotional banner across Main Street West, in front of City Hall, from June 20, 1988 to June 27, 1988, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:
- "Welcome CAA Delegates 1903 Hamilton Automobile Club 1988"

- (c) That the "Aeroheritage '88 Hamilton International Air Show" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from June 13, 1988 to June 20, 1988, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:

"June 18/19 Spectacular International Air Show
Hamilton Airport Top-Guns - Warbirds"

7. That a policy be established whereby all future transformer installations in industrial subdivisions by Hamilton Hydro be the padmounted type (above ground on a concrete pad).

NOTE: Hamilton Hydro have advised that they have found it impractical and uneconomical to place the transformers and necessary switching equipment in underground concrete manholes to serve the customer requirements in industrial subdivisions. Generally, the problem is that the transformer and switching equipment is too large for the standard concrete manhole.

They have requested the City grant permission to Hamilton Hydro to install padmounted transformers in the road allowance of industrial subdivisions. The installation consists of a concrete pad 1.5m by 1.5m with a transformer mounted on it approximately 1.5m high.

8. (a) That land acquisition costs for future local improvement projects not be rated under the provisions of The Local Improvement Act.
- (b) That the Executive Committee determine the method of financing the cost to acquire such lands.
- (c) That Item 25(b) of the 11th Report of the Transport and Environment Committee approved on July 28, 1987, which directed the City Solicitor to make application to the O.M.B. for approval of the additional funding necessary to acquire lands at 1123 Upper Wentworth Street for sidewalk construction, be rescinded.
9. (a) That the Final Plan of subdivision for "Nash Orchard Heights West" be permitted to register without the Greenhill Avenue road allowance, from National Drive to approximately 65 metres northerly, being established at the ultimate designated width of 26.21 metres.
- (b) That a temporary 2 lane asphalt roadway be constructed on the westerly side of the Greenhill Avenue road allowance, to provide vehicular access to National Drive from the existing roadway south of Pavaroti Court.

10. That the City Treasurer be authorized and directed to issue a refund cheque for the sum of \$258.40 to the Developer of "Kimberly Estates Addition" (DiCenzo Construction Company Limited - owner), the said payment being the monies deposited under the City Subdivision Agreement for trees which were to be planted by the City.

NOTE: The Developer has planted the required trees himself and therefore this is not required to be completed by the City.

11. That the City Solicitor be authorized and directed to prepare a By-law to incorporate Block 15, Plan 62M-479 into Parkwood Crescent.
12. *(a) That the City Solicitor be authorized to make an application to a District Court Judge under section 82 of the Registry Act R.S.O. 1980, for an order to stop-up, close, and sell to the abutting owner(s) "the unopened road allowance of Raeburn Road, from Eleanor Avenue to the east end of Raeburn Road;
- (b) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the street;
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in District Court;
- (d) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed street is to be distributed among the abutting owner(s), and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;
- (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act;
- (f) That the Director of Real Estate be authorized to proceed with the disposition of the said lands to the abutting owner(s).

* Section 12(a) Amended, see page 2021

13. (a) That the designation of a 24.384m (80 foot) road allowance on Ferguson Avenue from Hunter Street to Barton Street be repealed,
- (b) That the City of Hamilton Planning and Development Committee and Mr. R. Cupido of Cupido Realty be advised of this action.
14. (a) That eastbound and westbound traffic on Greencedar Drive/Megna Court be required to stop for northbound and southbound traffic on Guildwood Drive/Gurnett Drive; and
- (b) That the City Traffic By-law 66-100 be amended accordingly.
15. That the application by the owner of the property at No. 34 Gladstone Avenue to park two vehicles partially on the City boulevard in front of this property be approved.
16. That the application by Paul's Restoration Inc. to lease a portion of the boulevard of King William Street adjacent to 385 King William Street be approved provided that:
 - (a) That the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$100.00 per year), plus taxes, if any, in addition to the \$10 annual encroachment insurance charge approved by City Council on 1984 February 14.
 - (b) That the owner pays a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
 - (c) That the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
 - (d) That the parking area and other structures, approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (e) That the owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

17. (a) That parking be prohibited on the south side of Adis Avenue commencing at Napoli Drive and extending to a point 276 feet westerly therefrom; and
- (b) That parking be prohibited on the north side of Adis Avenue commencing at a point 47 feet west of the extension of the west curb line of Napoli Drive and extending to a point 239 feet westerly therefrom; and
- (c) That the City Traffic By-law 66-100 be amended accordingly.
18. (a) That the two 30 minute parking meters on the north side of the 11 one hour parking meters on the south side of Hunter Street West between James Street South and MacNab Street South be changed to three hours in duration; and
- (b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Sherwood Rise, commencing at a point 32 feet east of High Street and extending to a point 308 feet easterly therefrom; and
- (c) That the existing "No Stopping" traffic signal clearance on the east side of Hughson Street North between Cannon Street East and a point 176 feet northerly therefrom be extended, such that the prohibition extends to a point 232 feet north of Cannon Street East; and
- (d) That the existing parking prohibition in front of the residential property at no. 134 Inchbury Street be removed; and
- (e) That the City Traffic By-law 66-100 be amended accordingly.
19. (a) That eastbound traffic on Ross Avenue be required to stop for northbound and southbound traffic on the east leg of Rowntree Drive; and
- (b) That westbound traffic on Ross Avenue be required to stop for northbound and southbound traffic on the west leg of Rowntree Drive; and
- (c) That westbound traffic on Rawlings Avenue be required to stop for northbound and southbound traffic on the west leg of Rowntree Drive; and

- (d) That northbound traffic on Ramsden Drive be required to stop for eastbound and westbound traffic on the south leg of Rowntree Drive; and
 - (e) That eastbound traffic on Ramsden Drive be required to stop for northbound and southbound traffic on Rushdale Drive; and
 - (f) That westbound traffic on Ricardo Court be required to stop for northbound and southbound traffic on Rushdale Drive; and
 - (g) That northbound traffic on Charing Drive be required to stop for eastbound and westbound traffic on South Park Avenue; and
 - (h) That eastbound traffic on Mark Place be required to stop for northbound and southbound traffic on Charing Drive; and
 - (i) That eastbound traffic on Benemar Court be required to stop for northbound and southbound traffic on Charing Drive; and
 - (j) That the City Traffic By-law 66-100 be amended accordingly.
20. That a second driveway approach be installed on the south side of Burlington Street east of James Street, to allow an entrance only to the commercial plaza at the south east corner, subject to the agreements of the Planning and Development Committee to make the appropriate modification to site plan DA-85-47 originally approved by City Council in September 1985.
21. (a) That a three-way stop control be implemented at the intersection of Robertsfield Drive and Rexford Drive.
- (b) That No Stopping Corner Clearances be implemented on the west side of Rexford Drive opposite Robertsfield Drive (approximately 30 feet on either side of the intersection).
- (c) That City Traffic By-law 66-100 be amended accordingly.
22. That leave be granted to introduce the following bills:
- (a) B-80 By-law respecting the construction of local improvements on a concrete alley in the block bounded by Mayflower Avenue, Glendale Avenue, Cannon Street and Gage Avenue - \$80 000
 - (b) B-81 By-law respecting the construction of local improvements on a concrete alley in the block bounded by Elm Street, Balsam Avenue, Main Street and the T.H.& B. Railway Tracks - \$46 000

- (c) B-82 By-law respecting the construction of local improvements on a concrete alley in the block bounded by Maplewood Avenue, Balsam Avenue, Elm Street and the T.H. & B. Railway Tracks - \$44 000
- (d) B-83 By-law respecting the construction of local improvements on a finished roadway on Imperial Street, from Sherman Avenue to the east end - \$178 000
- (e) B-84 By-law to widen Greenhill Avenue by incorporating therein Parts 7 and 8, Plan 62R06380
- (f) B-85 By-law to extend Fieldway Drive by incorporating therein Part 1, Plan 62R-8777 and Part 2, Plan 62R-7879
- (g) B-86 By-law to amend By-law 66-100 to regulate traffic
- (h) B-87 By-law to amend By-law 66-100 to regulate traffic.

- * 23. That in light of the tragic accident on October 22, 1987 at a bus stop on the corner of Cannon and Edgemont Streets, Traffic Department staff be instructed to thoroughly investigate the circumstances surrounding this accident and in co-operation with the Hamilton-Wentworth Regional Police Department, advise Council as to any improvements that can be made to assist us in preventing similar accidents from occurring.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse
Secretary

1987 October 19

* Section 23 added during Council

* Section 12(a) Amended to read:

12. a) That the City Solicitor be authorized to make application to a District Court Judge under Section 82 of the Registry Act R.S.O. 1980, for an order to stop-up and close "the unopened road allowance of Raeburn Road, from Eleanor Avenue to the east end of Raeburn Road;

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Parks and Recreation Committee presents its **EIGHTEENTH** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to Turf Care, Markham, in the amount of \$14 526.85 including applicable taxes, for the supply and delivery of One Tow Type 5 Gang Mower for Central Garage in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Funds provided in Capital Projects Account #0280-28.

2. That an "Agreement by Owner to Accept Compensation" between the City of Hamilton and Thomas Ashthorpe, Administrator of The Estate of Sarah Betsy John, in respect of the expropriation of Municipal No. 520 Melvin Avenue, pursuant to By-law 9430, August 6th, 1961, be accepted.

NOTE: The land expropriated has a frontage on Melvin Avenue of 112 feet by a depth of 761 feet and contains approximately 2 acres.

Compensation in full, in the amount of \$53 500 will be charged to Account No. 0280-02.

3. That due to potential health hazards presented by sand boxes in public parks, the sand boxes be phased out effective 1987, and that future playground developments exclude same.
4. (a) That funds in the amount of \$25 000 be allocated for the acquisition and installation of playground equipment for the following projects in accordance with the policy approved by City Council on 1986, May 13 and amended on 1986, October 28:
 - i. \$5 000 - To the Shawinigan Park Project (Gurnett Neighbourhood) to match the funds raised in the community
 - ii. \$5 000 - To the Linden Park Project (School, Hill Park Neighbourhood) to match funds raised in the community
 - iii. \$5 000 - Basic funding to Thorner Park project (Thorner Neighbourhood)
 - iv. \$5 000 - Basic funding to the Westcliffe East Neighbourhood
 - v. \$5 000 - Basic funding to Lake Avenue School Park

(b) That the Executive Committee be requested to recommend the method of financing for these projects.

5. That the park located at the northeast corner of Hunter Street and East Avenue be named "Bishop's Park".

NOTE: The park will be developed within the mandate of the Ontario Neighbourhood Improvement Programme.

6. That the Noise Control Officer be requested to monitor and control the noise levels of concerts held in Gage Park during various Festivals in 1988.

- * 7. That authorization be given to enter into negotiations and attempt to reach an agreement with the new owners of the St. Louis Cardinals "A" Farm Team in the New York-Penn League known also as the Cardinals in order to transfer the team from Erie to Hamilton for the 1988 season.

NOTE: This does not preclude other proposals being received and brought before the Parks and Recreation Committee for consideration.

RESPECTFULLY SUBMITTED,

**ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

R. C. Prowse
Secretary
1987 October 20

*** Section 7 Amended to Read:**

7. That authorization be given to enter into negotiations and attempt to reach an agreement with the new owners of the St. Louis Cardinals "A" Farm Team in the New York-Penn League known also as the Cardinals in order to transfer the team from Erie to Hamilton for the 1988 season.

That a neighbourhood Meeting be held by the Ward Aldermen and the immediate community to discuss the overall impact of this proposal.

NOTE: This does not preclude other proposals being received and brought before the Parks and Recreation Committee for consideration.

Recorded Vote, see page 2006

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTIETH** Report for 1987 and respectfully recommends:

1. (a) That **APPROVAL** be given to Official Plan Amendment No. 51 to redesignate lands located on the west side of Upper Sherman Avenue in the area north of Limeridge Road East, as shown on the attached map marked as **APPENDIX "A"** from "Residential" to "Commercial", and the City Solicitor be directed to prepare a By-law to adopt this Official Plan Amendment for submission to the Regional Municipality of Hamilton-Wentworth for approval.
- (b) That **APPROVAL** be given to Zoning Application ZA-86-15, Ashok Kumar, owner, requesting a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, modified, to permit a self-serve gasoline service station and a self-serve car wash, on lands located on the west side of Upper Sherman Avenue in the area north of Limeridge Road East as shown on the attached map marked as **APPENDIX "A"** on the following basis:
 - (i) That the subject lands be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
 - (ii) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 be modified to include the following variances as special requirements:
 1. Notwithstanding Section 14A(1)(d) and 14(1)(xvii) of By-law No. 6593, a coin operated manual car wash having six stalls accessory to an automobile service station shall be permitted;
 2. Notwithstanding Section 14A(3)(a) of Zoning By-law No. 6593, a minimum front yard of 3.0m shall be required;
 3. Notwithstanding Section 14A(3)(b) of By-law No. 6593, a minimum side yard of 3.0m shall be required;
 4. Notwithstanding Section 14A(3)(c) of By-law No. 6593, a minimum rear yard of 3.0m shall be required.

- (iii) That Section 18 - Supplementary Requirements and Modifications of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements.
1. Notwithstanding Section 18(3)(ivc)(a), 18(3)(ivd) and 18(3)(b) of By-law No. 6593, the minimum building setback from the southerly and westerly lot lines shall be 3.0m;
 2. Notwithstanding Section 2(2)(J)(xxvi) and Section 18(3)(vi) of By-law No. 6593, the two vacuum cleaning machines shall be set back a minimum of 2.3m from the northerly side property line;
- (iv) That the amending By-law be added to Section 19 of Zoning By-law No. 6593 as Schedule S-1047, and that the subject lands on Zoning District Map E-27A be notated S-1042;
- (v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27A;
- (vi) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 51 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District for property located on the west side of Upper Sherman Avenue in the area north of Limeridge Road East, as shown on the attached map marked as **APPENDIX "A"**

The effect of the By-law is to permit the establishment of a self-serve gasoline service station and a coin operated manual self-serve car wash having six stalls.

In addition, the By-law provides for the following modifications to the "HH" (Restricted Community Shopping and Commercial) District regulations:

- (a) to permit a coin operated manual car wash having six stalls accessory to an automobile service station, whereas the By-law only permits a one stall manual car wash accessory to an automobile service station [Sections 14A(1)(d) and 14(1)(xvii)];
- (b) to permit a minimum front yard of 3.0m, whereas the By-law requires a minimum front yard of 12.0m [Section 14A(3)(a)];
- (c) to permit a minimum side yard of 3.0m, whereas the By-law requires a minimum side yard of 4.5m [Section 14A(3)(b)];
- (d) to permit a minimum building setback of 3.0m from the southerly and westerly lot lines, whereas the By-law requires a minimum building setback of 6.0m [Sections 18(3)(ivc)(a), 18(3)(ivd) and 18(3)(ive)(b)];
- (e) to permit the two vacuum cleaning machines to be located within 2.3m of the northerly side lot line, whereas the By-law requires a minimum setback of 3.0m [Sections 2(2)J(xxvi) and 18(3)(vii)].

- * 2. That **APPROVAL** be given to Zoning Application ZA-86-93, Subhash Dighe, owner, requesting a change in zoning from "A" (Conservation Open Space, Park and Recreation) District to "H" (Community Shopping and Commercial etc.) District, modified, and a modification to the "A" (Conservation, Open Space, Park and Recreation) District, to permit the development of the subject lands for a 3 storey, 2 900m² (31 216 36 sq. ft.) medical centre, and associated parking for the property located on the west side of Ewen Road, in the area south of Main Street West as shown on the attached map marked as **APPENDIX "B"** on the following basis:

- (a) That the subject lands shown as Block "1" be rezoned from "A" (Agricultural) District to "HH" (Community Shopping and Commercial, etc.) District;

* Section 2 Referred Back

- (b) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified, to include the following variances as special requirements:
- (i) That notwithstanding Section 14(3)(i) the minimum front yard shall be 0.6m.
 - (ii) That notwithstanding Section 14(3)(ii)(a) the minimum northerly side yard shall be 0.7m and the minimum southerly side yard shall be 0.6m.
 - (iii) That Section 14(3)(iii)(c) shall not apply.
 - (iv) That notwithstanding Section 18A.(1)(a) a minimum of 20 parking spaces shall be provided on site and a minimum of 49 off site spaces shall be provided with 180m of the subject lands.
 - (v) That Sections 18A.(1)(e), 18A.(9), 18A.(10), 18A.(21), 18A.(27), 18A.(32) and 18A.(33) shall not apply;
 - (vi) That the "A" (Conservation, Open Space, Park and Recreation) District regulations as contained in Section 7 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
 - 1. That notwithstanding Section 7.(1), parking of motor vehicles shall be permitted only in conjunction with the medical center located on adjacent lands to the west;
 - (vii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1046, and that subject lands on Zoning District Map W-46 be notated S-1046;
 - (viii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-46;
 - (ix) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- (x) That the approved Ainslie Wood Neighbourhood Plan be amended by redesignating the Block "1" from "Utilities" to "Commercial".

NOTE: The purpose of this by-law is to provide for changes in zoning for the property located on the west side of Ewen Road in the area south of Main Street West on the following basis:

Block "1" - Change in zoning from "A"
(Conservation, Open Space, Park and Recreation) District from "H"
(Community Shopping and Commercial, etc.) modified; and,

Block "2" - Modification to the "A" (Conservation, Open Space, Park and Recreation) District, modified.

The effect of this by-law is to permit the development of the subject lands for a three (3) storey (2 900m²) medical center (Block "1") and to permit parking for the medical center on the adjacent hydro lands (Block "2").

In addition, the By-law provides for the following variances:

- (a) to permit a front yard of 0.6m instead of the required 12.0m (Section 14(3)(i))
- (b) to permit a northerly side yard of 0.7m and southerly side yard of 0.6m respectively instead of the required 4.5m (Section 14(3)(ii))
- (c) to delete the rear yard requirement (Section 14(3)(iii))
- (d) to permit 20 parking spaces on-site instead of the legally required 123 spaces (Section 18A.(1)(a))
- (e) to permit 49 parking spaces to be located on the adjacent hydro lands, instead of requiring the parking to be on site (Section 18A.(1)(a))

- (f) to delete the required loading spaces and manoeuvring areas (Sections 18A.(1)(e) and (32))
 - (g) to permit the manoeuvring area to be located off-site (Section 18A.(9))
 - (h) to allow free and unobstructed accessibility to parking spaces on the lot (Section 18A.(10))
 - (i) to allow free and unobstructed accessibility to loading spaces on the lot (Section 18A.(33))
 - (j) to allow the access driveway to the parking lot to be located off-site (Section 18A.(21))
 - (k) to allow the lands in a residential district to be used for vehicular ingress or egress in a commercial district (Section 18A.(27))
3. That **APPROVAL** be given to an amended Zoning Application ZA-87-75, Lousan Developments Limited, owner, for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, modified to exclude townhouse development, to "RT-20" (Townhouse - Maisonette) District for lands on the east side of Upper Wentworth Street between Stone Church Road East and Rymal Road East, as shown on the attached map marked as **APPENDIX "C"** on the following basis:
- i) That the lands described as Block 1 be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "RT-20" (Townhouse -Maisonette) District;
 - ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27D;
 - iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
 - iv) That the Butler Neighbourhood Plan be amended by redesignating Block 1 from "Single and Double" residential to an "Attached Housing" land use designation.

NOTE: The purpose of the By-law is to provide for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwelling, Townhouses, etc.) District to "RT-20" (Townhouse - Maisonette) District for property located on the east side of Upper Wentworth Street between Stone Church Road East and Rymal Road East as shown on the attached map marked as **APPENDIX "C"**.

The effect of the By-law is to permit future townhouse development on the subject lands as shown on the attached map marked as **APPENDIX "C"**.

4. That **APPROVAL** to be given to Zoning Application 87-99, 496091 Ontario Ltd. (P. Tigani and G. H. Silcox), owners, requesting a modification to the "M-14" (Prestige Industrial) District, to permit, in addition to the existing "M-14" uses, a general automobile repair garage, for the property located at No. 1198 Stone Church Road East, as shown on the attached map marked as **APPENDIX "D"**, on the following basis:

- i) That the "M-14" (Prestige Industrial) District regulations as contained in Section 17F of Zoning By-law No. 6593 be modified to include the following variance as a special requirement:
- a) Notwithstanding Section 17F(i) of Zoning By-law No. 6593, the following additional commercial use shall be permitted.

Commercial Use

Indentification No.

General Repair Garage

6351

- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1048, and that the subject land on Zoning District Map E-59C be notated S-1048;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59C;
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the "M-14" (Prestige Industrial) District for the property located at No. 1198 Stone Church Road East, as shown on the attached map marked as **APPENDIX "D"**.

The effect of the By-law is to permit, in addition to the existing "M-14" uses, a general automobile repair garage.

5. That **APPROVAL** be given to Zoning Application ZA-87-81, W. D. Mattina and M. J. Ferracuti, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property at No. 165 Rymal Road West, as shown on the attached map marked as **APPENDIX "E"**, on the following basis:

- i) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E;
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at No. 165 Rymal Road West.

The effect of the By-law is to establish the appropriate zoning for single-family dwelling (existing and proposed).

6. That the Chairman of the Planning and Development Committee or his designate be authorized to attend the Canadian Urban and Housing Studies Conference to be held 1988 February 18-20, University of Winnipeg, Manitoba.
7. For the information of the members of City Council, the following persons have been appointed by the Planning and Development Committee to serve on a Task Force on Student Housing:

Alderman T. Cooke, Chairman
Alderman M. Kiss
Alderman D. Christopherson
Ms. Margaret Campbell (representing Ainslie Wood Neighbourhood Association)
Ms. Sandy Hill (representing George R. Allen Home and School Association)
Ms. Norah Kozicz (resident)
Dr. Joe Homer (resident)
Ms. Zelda Rock (resident)
Mr. Jack Evans (representing McMaster University - Associate Vice President of University Services)
Mr. Jack Jarecki (representing Student Union - Ombudsman)

City Hall Staff: Mr. Don Peters, Fire Department
 Mr. Brian Allick, Building
 Ms. Sonia Light, City Solicitors
 Ms. Joanne Hickey, Planning
 Mr. Dean Barrow, Licencing
 Regional Police Representative
 Ms. Stella Glover, Secretary

- * 8. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following residential buildings:

- a) 20 Brucedale Avenue East
- b) 32 Brucedale Avenue East
- c) 34 Brucedale Avenue East
- d) 36 Brucedale Avenue East
- e) 38 Brucedale Avenue East

9. That the following four (4) Ontario Home Renewal Programme (O.H.R.P.) applications and one (1) Hamilton Rehabilitation Programme (H.A.R.P.) application be approved, authorizing the Department of Community Development to process grants/loans in the amount not to exceed \$7,500.

NOTE: The actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.).

* Section 8 Tabled

Ontario Home Renewal Programme

- a) J. Kulpaka
315 Cumberland Avenue
- b) R. Page
104 Rosedale Avenue
- c) W. McPherson
507 Dunsmore Road
- d) M. Repton
92 Newlands Avenue

Hamilton Rehabilitation Programme

- a) J. Ellis
109 Park Row North

10. That an Option to Purchase the property at 213 Brant Street duly executed by Allan Howard Copeland on September 30, 1987 and scheduled to close on or before December 4, 1987 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 35 feet (10.67 metres) by a depth of 80 feet (24.38 metres) comprising an approximate area of 2,800 square feet (260.12m²) with structures erected thereon. The purchase price of \$73,150. in accordance with Schedule "A" attached hereto and marked as **APPENDIX "F"** is to be charged to Account No. 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

11. That an Option to Purchase the property at 397/399 Sherman Avenue North duly executed by Genevieve Barbara Zaraski on October 1, 1987 and scheduled to close on or before December 18, 1987 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 37.50 feet (11.43 metres) by a depth of 90 feet (27.43 metres) comprising an approximate area of 3,375 square feet (313.54m²) with structures erected thereon. The purchase price of \$108 550. in accordance with Schedule "A" attached hereto and marked as **APPENDIX "G"** is to be charged to Account No. 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

12. That an Option to Purchase the property at 14 Gerrard Street duly executed by Marion Wilson and Albert Wilson on October 3, 1987 and scheduled to close on or before December 17, 1987 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 24 feet (7.315 metres) by a depth of 80 feet (24.38 metres) comprising an approximate area of 1,920 square feet (178.368 square metres) with structures erected thereon. The purchase price of \$62 450. in accordance with Schedule "A" attached hereto and marked as **APPENDIX "H"** is to be charged to Account No. 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

13. That an Option to Purchase 386 Birch Avenue dated October 21, 1986 and executed by F. Pilgrim and Company Limited, which was approved by City Council on November 11, 1986 as Item 18 of the 24th Report of the Planning and Development Committee be rescinded and, that a new Option to Purchase document executed on October 2, 1987 by Carrier Canada Limited, Mortgagee in Possession which is scheduled for closing on or before December 21, 1987 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (Plan 4) and has a frontage of 8.543 metres (28.028 feet more or less), by an irregular depth and comprising an area of 191.5m² (2,061.356 square feet more or less) with structures erected thereon. The purchase price of \$30 500. in accordance with Schedule "A" attached hereto and marked as **APPENDIX "I"** is to be charged to Account No. 0280-35 and demolition is to take place upon closing.

14. That an Option to Purchase the property at 13 Gerrard Street duly executed by Stella Miksza on September 23, 1987 and scheduled to close on or before March 1, 1988 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 19 feet (5.79 metres) by a depth of 97.1 feet (29.59 metres) comprising an approximate area of 1,845 square feet (171.39m²) with structures erected thereon. The purchase price of \$44 950. in accordance with Schedule "A" attached, hereto and marked **APPENDIX "J"** is to be charged to Account No. 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

15. That the Corporation of the City of Hamilton accept the sum of \$11 794.62 as cash payment in lieu of 5% dedication in connection with "TEMPLEMEAD NO. 2 SURVEY - PHASE 4", Hamilton, this being the cash requirement under Section 50 of the Planning Act.
16. That the Corporation of the City of Hamilton accept the sum of \$3 766. as cash payment in lieu of 5% dedication in connection with "LOCONDER GARDENS", Hamilton, this being the cash requirement under Section 50 of the Planning Act.
17. That the Corporation of the City of Hamilton accept the sum of \$4 056.64 as cash payment in lieu of 5% dedication in connection with "VIGNATICO VILLAGE - PHASE 1", Hamilton, this being the cash requirement under Section 50 of the Planning Act.
18. That the lot grading in Gilkson Woods Addition, Phase 2, Plan 62M-363 be accepted as satisfactory.

NOTE: The grading in this single family subdivision is satisfactory except for a dispute between two land owners, which does not affect any other property.

19. That the legal costs of Dr. R. G. Stopps on his \$65 000. counterclaim, in the action of the City vs Sam Henson Apartments Ltd. re: 252, 262, 268 James Street South - The Building Code Act, be settled by the City's payment of \$300. to Wilkins, Wynne & Horodyski, in trust, in exchange for his Consent to Dismissal of the counterclaim by him.
- * 20. (a) That the City Solicitor be authorized and directed to amend City of Hamilton Subdivision agreements by adding the following:
 - i) That the Building Commissioner shall not issue a building permit before the regional water supply for fire protection is available and operational and an access road acceptable to the City has been provided; and,
 - ii) That the City Solicitor be authorized and directed to draft a by-law confirming the above.

* Section 20 Referred Back

- (b) Notwithstanding the foregoing, the Building Commissioner may issue building permits for a maximum of six (6) model homes per Subdivision.

NOTE: A recent \$10 million dollar fire in Markham, Ontario where more than 100 homes under construction were destroyed was just one of a series of such incidents which have occurred in the past 18 months where inadequate water supply was considered a major factor.

Subsequent to the Markham fire, the Hamilton Fire Department has been investigating the availability of water on new construction sites, and have determined that a serious water supply problem does exist in some areas.

It is the view of the Fire Department that adoption of this recommendation would greatly reduce the potential for large loss fires occurring on construction sites.

It should be noted that the above referenced by-law would enable the Building Commissioner to refuse to issue a permit in accordance with provisions of the Ontario Building Code.

Staff have met with representatives of the Hamilton and District Home Builders Association and discussed various alternative methods of dealing with this situation.

Alternatives considered included:

- a) permitting 10% of new homes to be completed without water and roads
- b) allowing construction within 400 feet of an existing charged hydrant
- c) permitting construction to proceed to the sub-floor
- d) requiring every sixth house to be bricked in to act as a fire break prior to proceeding with the framing for additional houses.

While it is recognized that all or most of the alternatives are feasible, these proposals were rejected on the basis that they are much more difficult to administer and would necessitate the acquisition of additional staff.

21. (a) That **APPROVAL** be given to Application SA-87-17, Frank Husack Ltd. & Di Cenzo Construction Co. Ltd., Owners, to establish a draft plan of subdivision north of Stone Church Road West, east of Amalfi Street, south of Greencedar Drive and west of Greenguild Avenue, subject to the following conditions:
- i) That this approval apply to the plan prepared by A. J. Clarke & Associates Ltd. dated June 10, 1987 revised to show 58 lots, three blocks for development in conjunction with adjoining lands, a 100 m radius for the road at the front lot line of lots 55 and 56 and a road south of Gurnett Drive.
 - ii) That the road allowances be dedicated as public highways on the final plan.
 - iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - iv) That the final plan conform with the Zoning By-law approved under the Planning Act.
 - v) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
 - viii) That the owner shall erect a sign in accordance with Section X of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - ix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-17) F. Husack Ltd. and Di Cenzo Construction Company Ltd., owners, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

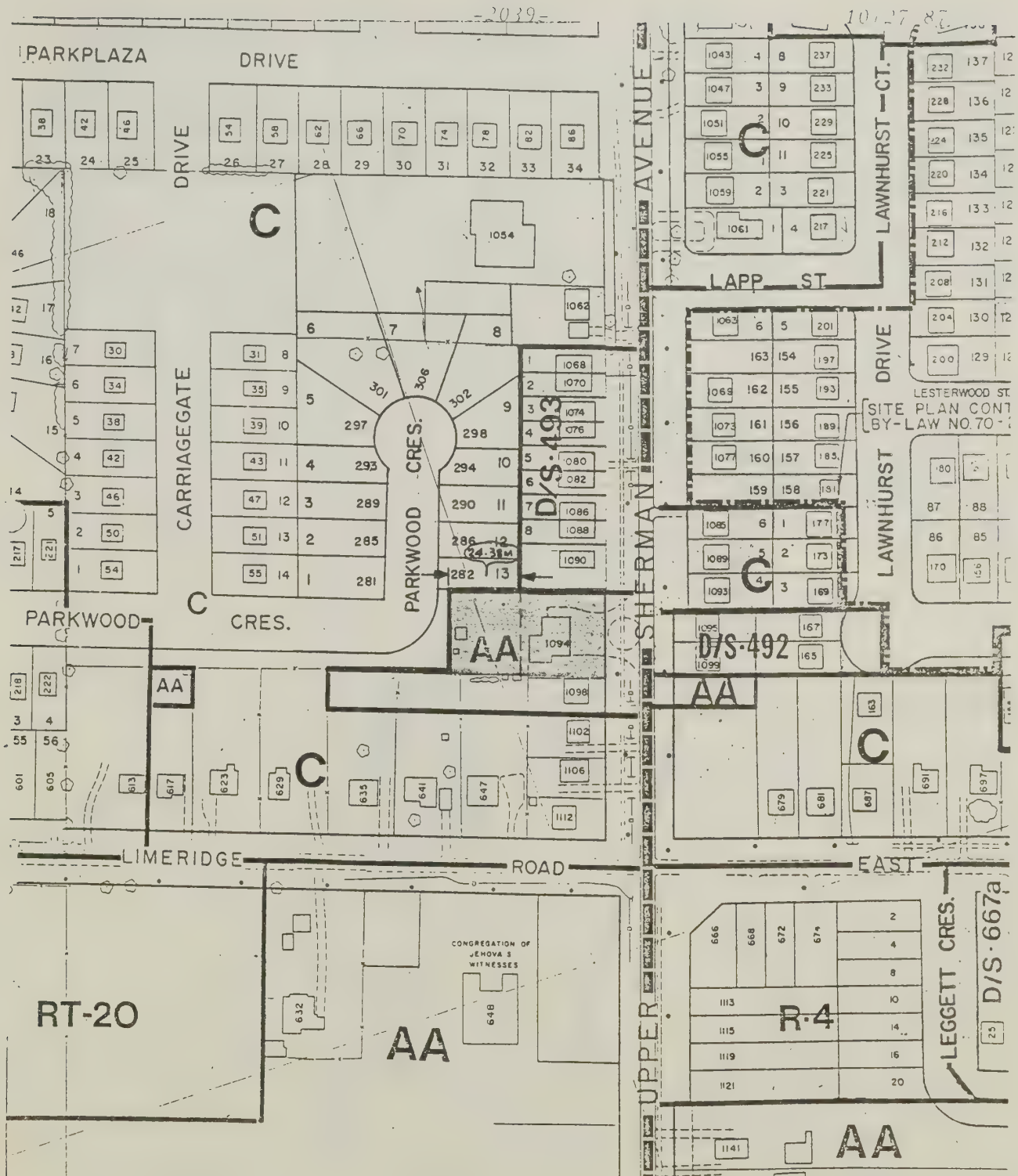
22. That leave be granted to introduce the following Bills:

- (a) **Bill D-123** A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 390 Limeridge Road East.
- (b) **Bill D-124** By-law to Adopt Official Plan Amendment No. 50 Respecting Land Located at Municipal Nos. 122-124 Young Street.
- (c) **Bill D-125** By-law to Adopt Official Plan Amendment No. 51 Respecting Land Located at Municipal No. 1094 Upper Sherman Avenue.

Respectfully submitted,

Alderman J. Smith, Chairman
Planning and Development Committee

Susan K. Reeder, Acting Secretary
1987 October 14



Appendix "A" as referred
to in Section 1 of the
20th Report of the
Planning and Development
Committee



APPENDIX A



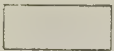
LEGEND

BLOCK 1



CHANGE IN ZONING FROM "A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT TO "H" (COMMUNITY SHOPPING AND COMMERCIAL, ETC.) DISTRICT MODIFIED.

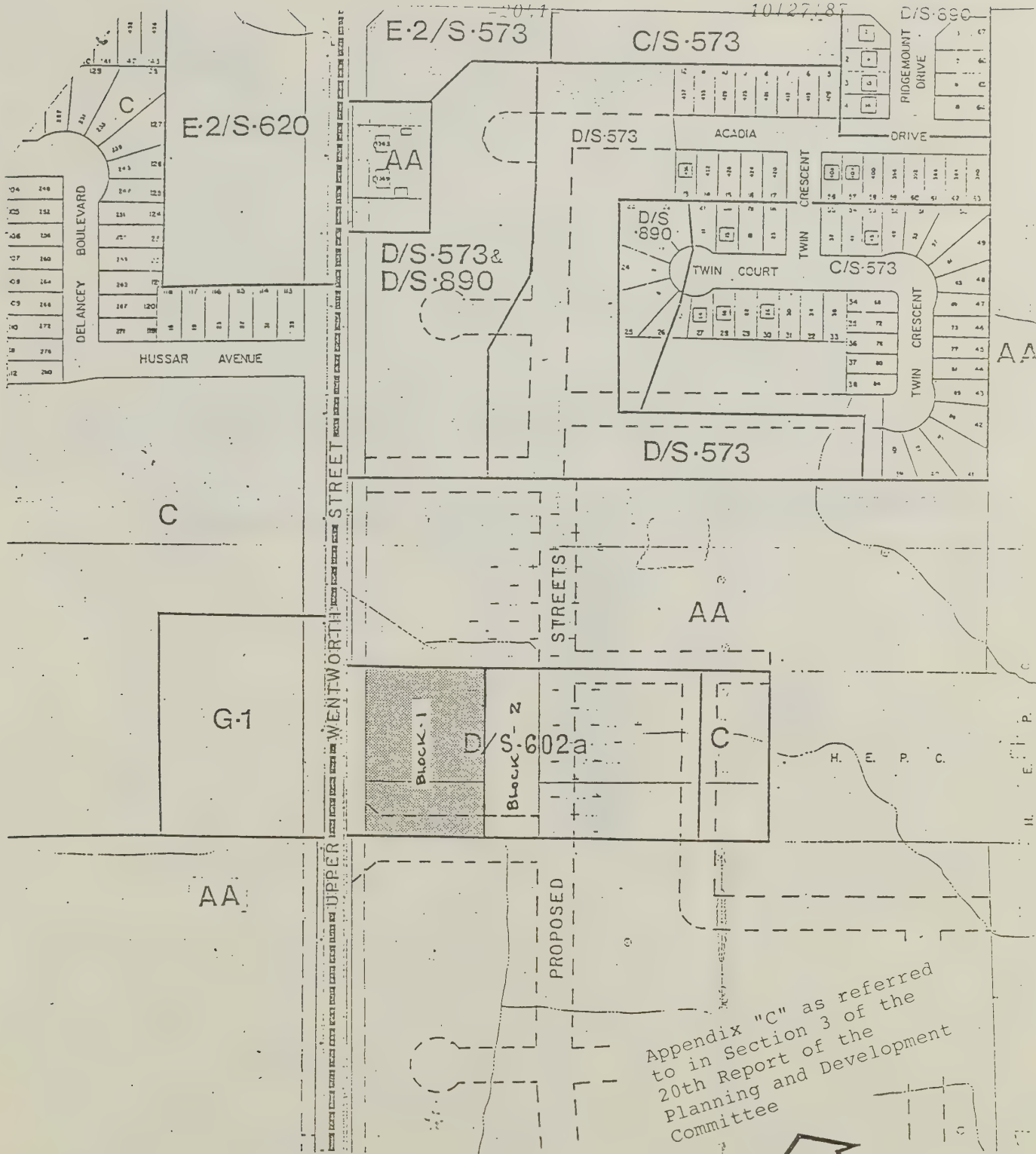
BLOCK 2



MODIFICATION TO THE "A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT.



Appendix "B" as referred
to in Section 2 of the
20th Report of the
Planning and Development
Committee



10/27/87

2042

APPENDIX A

M-13/
S-900

M-13

1175

1185

1215

1227

STONE CHURCH ROAD EAST

M-14/
S-1013

BLOCK 56

M-14

2

1178

1186

1192

1198

1214

1224

1230

23

25

30

115

24

70

NEBO ROAD

45

26

175

27

HEMPSTEAD

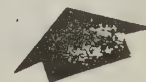
DRIVE

LEGEND

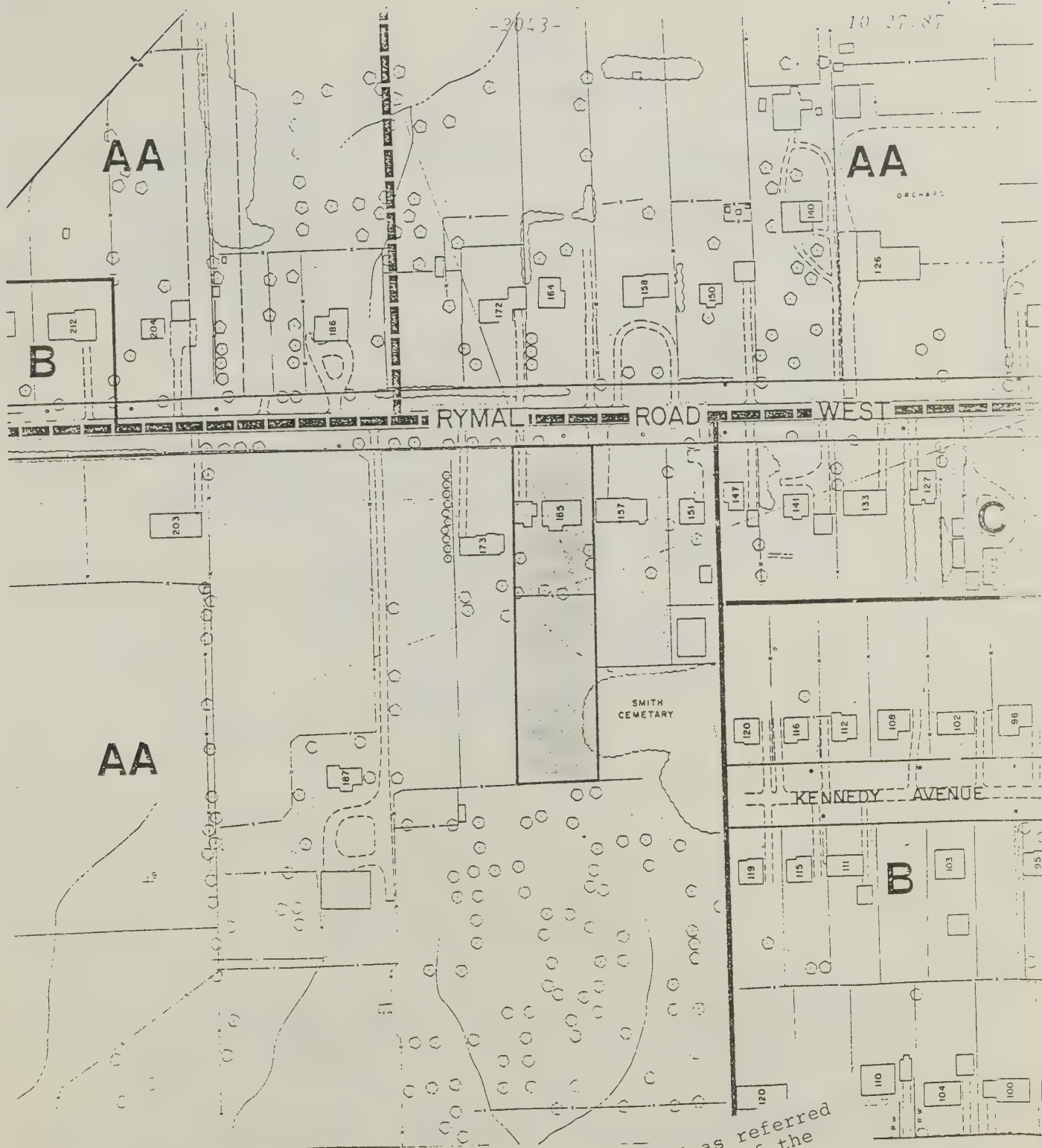
Appendix "D" as referred
to in Section 4 of the
20th Report of the
Planning and Development
Committee



SITE OF THE APPLICATION



ZA 87-99



LEGEND

 SITE OF THE APPLICATION

Appendix "E" as referred
to in Section 5 of the
20th Report of the
Planning and Development
Committee



APPENDIX A

10127187

-2044-

SCHEDULE "A"213 Brant Street
Hamilton, OntarioOwner's Interest
Allan Howard CopelandELEMENTS OF COMPENSATION

Market Value of Realty	\$68,000.00
5% for inconvenience and cost of finding another residence (5% of \$68,000)	\$ 3,400.00
Legal fees, re: 213 Brant St., Mr. J. Anderson	\$ 700.00
Moving allowance	\$ 350.00
Legal fees incurred in acquiring another residence	\$ 700.00

TOTAL COMPENSATION	<u>\$73,150.00</u>
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Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

It is understood and agreed that the amount of \$73,150.00 is full and final payment of all compensation, interest and cost whatsoever which Allan Howard Copeland might be entitled to as a result of the acquisition by The Corporation of the City of Hamilton of the land and buildings known as 213 Brant Street, Hamilton, Ontario.

DATED at Hamilton this 20th day of September 1987.

WITNESS:

ALLAN HOWARD COPELAND

Appendix "F" as referred to in Section 10 of the 20th Report of the Planning and Development Committee

SCHEDULE "A"

397-399 Sherman Avenue North
Hamilton, Ontario

Owner's Interest
GENEVIEVE BARBARA ZARASKI

ELEMENTS OF COMPENSATION

Market value of realty	\$103,000.00
5% for inconvenience and cost of finding another residence (5% of \$53,000.00)	\$ 2,650.00
Moving allowance	\$ 700.00
Legal fees re: 397/399 Sherman Avenue North	
Mr. M. McEniry	\$ 1,100.00
Legal fees incurred in acquiring another property	\$ 1,100.00

TOTAL COMPENSATION \$108,550.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

<u>Floor Coverings:</u>	Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.
<u>Electrical Apparatus:</u>	Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.
<u>Plumbing:</u>	Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.
<u>Miscellaneous:</u>	Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

It is understood and agreed that the Owner has permission to remove and retain the kitchen cupboards, sink and 2 drawer cupboards attached to the wall in the storage area from 397 Sherman Avenue North, along with a 3 door upper set of white cupboards from 399 Sherman Avenue North.

It is also understood and agreed that the amount of \$108,550.00 is full and final payment of all compensation, interest and cost whatsoever which Genevieve Barbara Zaraski might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 397 and 399 Sherman North, Hamilton, Ontario

DATED at 10/27 this 27th day of Oct 1987.

WITNESS:

Appendix "G" as referred to in Section 11 of the 20th Report of the Planning and Development Committee

Genevieve Zaraski
GENEVIEVE BARBARA ZARASKI

SCHEDULE "A"

14 Gerrard Street
Hamilton, Ontario

Owner's Interest
ALBERT WILSON
MARION WILSON

ELEMENTS OF COMPENSATION

Market value of realty	\$58,000.00
5% for inconvenience and the cost of finding another residence(5% of \$58,000.00)	\$ 2,900.00
Legal fees re: 14 Gerrard - Jane Milanetti	\$ 600.00
Moving allowance	\$ 350.00
Legal fees incurred in acquiring another residence	\$ 600.00
TOTAL COMPENSATION	<u>\$62,450.00</u>

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

It is understood and agreed that the owners have permission to remove and retain the front hallway chandelier, livingroom fan light and kitchen light.

It is also understood and agreed that the amount of \$62,450.00 is full and final payment of all compensation, interest and cost whatsoever which Albert and Marion Wilson might be entitled to as a result of the acquisition by the City of Hamilton of the land and buildings known as 14 Gerrard Street, Hamilton, Ontario.

Continued

Appendix "H" as referred to in Section 12 of the 20th Report of the Planning and Development Committee

10 27 87

In consideration of The Corporation of the City of Hamilton closing the purchase of our property at 14 Gerrard Street, Hamilton, Ontario, on December 17, 1987 and allowing us to remain in possession of the property for the sole purpose of redecorating our newly acquired property, we the undersigned acknowledge that we have surrendered the right of possession of these premises. We further agree to allow the Corporation of the City of Hamilton to hold back \$1,000.00 to guarantee that the property at 14 Gerrard Street, Hamilton, Ontario including all buildings and fixtures, will be surrendered to you in good condition by 12:00 noon, December 23, 1987.

Edm. J. N.
DATED at Cot this 3 day of SAT. 1987.

WITNESS:

R. Shearby

Albert Wilson
ALBERT WILSON

R. Shearby

Marion Wilson
MARION WILSON

SCHEDULE "A"Property Address

386 Birch Avenue

Owner's InterestCARRIER CANADA LIMITED
MORTGAGEE IN POSSESSIONELEMENTS OF COMPENSATION

Market Value of Realty

\$30,000.00

Legal Fees

\$ 500.00

TOTAL COMPENSATION

\$30,500.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

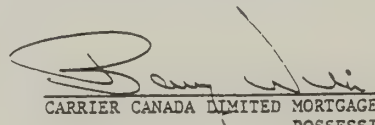
Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

It is understood and agreed that the amount of \$30,500.00 is in full and final payment of all compensation whatsoever which CARRIER CANADA LIMITED MORTGAGEE IN POSSESSION might be entitled to as a result of the purchase by The Corporation of the City of Hamilton of the land and buildings known as 386 Birch Avenue, Hamilton, Ontario.

DATED at Scottdale this 2nd day of August 1988.

WITNESS:




CARRIER CANADA LIMITED MORTGAGEE IN
POSSESSION

Appendix "I" as referred
to in Section 13 of the
20th Report of the
Planning and Development
Committee

SCHEDULE "A"

13 Gerrard Street
Hamilton, Ontario

Owner's Interest
Stella Miksza

ELEMENTS OF COMPENSATION

Market Value of Realty	\$42,000.00
5% for the inconvenience and cost of finding another residence (5% of \$42,000)	\$2,100.00
Legal fees re: 13 Gerrard St. & Mr. E. Cain	\$ 500.00
Moving Costs	\$ 350.00
TOTAL COMPENSATION	\$44,950.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

It is understood and agreed that the amount of \$44,950.00 is full and final payment of all compensation, interest and cost whatsoever which Stella Miksza might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 13 Gerrard Street, Hamilton, Ontario.

DATED at Hamilton this 3rd day of September 1987.

WITNESS:

Appendix "J" as referred to in Section 14 of the 20th Report of the Planning and Development Committee

Stella Miksza
STELLA MIKSZA

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **SIXTEENTH** Report for 1987 and respectfully recommends:

1. That Section 12 (1) of Flea Market By-law 87-234 be amended to read:

"1. For an owner with

(a) 1-20 stands	\$ 500
(b) 21-50 stands	1 000
(c) 51 or more	1 500

2. For a stallholder \$ 50"

Note: City Council, at its meeting held Tuesday, 1987 September 29th approved Section 4 of the Legislation Committee Report respecting amendments to the Flea Market By-law 87-234. The issue of licence fees for Flea Market owners and stallholders was referred to the Licencing Committee.

On 1987 October 2nd, the Licence Committee approved the above recommendation on annual licence fees for (stallholders) and owners of Flea Markets.

Bill E-19 to amend Licencing By-law 79-323 respecting Flea Markets will be presented to the 1987 October 27th meeting of City Council.

2. That a silver civic pin and a silver civic ring be awarded to the following members of the Transway Midget Girl's Basketball Team for their wins in Provincial and International Championships during the 1986-1987 Season:

Kerrie Taylor
Meagan Dougerty
Laurie Mitchell
Tina Murray
Colleen Mooney
Lori Bartolotta
Heidi Preiner
Tina Ellison
Erin Lynch
Rochelle Yule
Tara Murray
Michele Vesprini
Stacey Guest

David Bartolotta, Coach
Mike Morton, Coach

3. That the Salvation Army be granted permission to place two (2) bins on the first and second floor's of City Hall during the week of December 21 - 24, 1987, for the collection of toys and canned goods which will hopefully be donated by the public and City Hall staff.
4. That approval be given to the actions of the Legislation Committee in granting permission to the United Nations Association to use the City Hall Council Chambers on Friday, 1987 October 23rd from approximately 7:00 o'clock p.m. to 10:00 o'clock p.m. for the Annual United Nations Day Celebration.
5. (a) That the Hamilton Farmers' Market fees be increased by four (4) percent, as per Appendix "A" herewith attached, and
(b) That the City Solicitor be authorized and directed to prepare an amending By-law to By-law 81-180 "to regulate the Hamilton Farmers' Market" to reflect this increase.

Note: The recommended increase is in keeping with the inflationary rate for 1988 and will generate an additional \$14 000 in revenue.

6. That the Market days, throughout the Christmas holidays, be scheduled as follows:

(a) Christmas Week

- (i) Tuesday, 1987 December 22nd
- (ii) Wednesday, 1987 December 23rd
- (iii) Thursday, 1987 December 24th

(b) New Years' Week

- (i) Tuesday, 1987 December 29th
- (ii) Thursday, 1987 December 31st
- (iii) Saturday, 1988 January 2nd

Note: In accordance with Market By-law 81-180, "Market Day" means any Tuesday, Thursday or Saturday, when it is not a holiday. When one of those days is a holiday, then the day before it, and/or any other day which from time to time is designated by City Council becomes a "Market Day".

7. (a) That an amount of \$2 500 be approved for the City-hosted celebration in Gore Park held at noon on Wednesday, 1987 October 14th in celebration of Dofasco's 75th Year of Operation, and
(b) That the Finance Committee recommend the method of financing this expenditure.

8. That the Chairman or his designate be authorized to attend a Symposium entitled "Full-Time Municipal Politicians - Impact and Challenges to Local Government" to be held 1988 May 25-27 in London, Ontario.

9. That leave be granted to introduce the following bills:

- (a) Bill E-19 A By-law to amend Licencing By-law No. 79-323 respecting Flea Markets.
- (b) Bill E-20 A By-law to amend By-law No. 85-148 respecting Dog Licences.
- (c) Bill E-21 A By-law to amend By-law No. 85-148 respecting Vicious Dogs.

* 10. (a) That approval be given to the "Up with People" Organization to use the City Hall Council Chambers for orientation and meeting locations for the following dates and times:

- (i) Monday, 1987 November 2nd 7:30 p.m. - 10:00 p.m.
- (ii) Saturday, 1987 November 7th 8:00 a.m. - 9:30 a.m.
- (iii) Sunday, 1987 November 8th 12:00 noon - 1:00 p.m.
- (iv) Saturday, 1987 November 7th 5:00 p.m. - 6:00 p.m.

(b) That staff overtime for a Property Maintenance Worker to be available for arrangements associated with these events be approved and charged to Account No. 0321-0760 - Use of City Hall Facilities and Equipment by Outside Groups.

NOTE: Approval of the "Up with People" Organization was granted for a similar request in 1984.

Respectfully submitted,

Alderman V. J. Agro, Chairman
Legislation Committee

Susan K. Reeder
Secretary
1987 October 19th

* Section 10 added during Council

APPENDIX "A" as referred
to in Section 5 of the
Sixteenth Report of the
Legislation Committee

SCHEDULE "B"

(Section 7)

PART 1: PRODUCERS' AND DEALERS' FEES"

Stand Number	Location	Amount of Producers' and Dealers' Fees	
		Per Month	Per Day
1 to 8	(Refrigeration Units)	\$ 231.00	\$ ----
12 to 18	(Refrigeration Units)	231.00	----
22	(Refrigeration Units)	231.00	----
9, 10, 11	(Refrigeration Units)	193.00	----
19, 20, 21	(Refrigeration Units)	193.00	----
23 to 46	Ramp	134.50	21.50
47 to 62a	North Wall - Main Floor	134.50	21.50
63 to 70	West Wall - Main Floor	134.50	21.50
71 to 95	South Wall - Main Floor & In Ramp	134.50	21.50
96 to 100	Loading Docks (from 7:30a.m. to 4:00p.m.)	134.50	21.50
101 to 111	East Wall - Main Floor	134.50	21.50
112 to 143	Stands in Middle from East to West (North Side)	134.50	21.50
144 to 175	Stands in Middle from West to East (South Side)	134.50	21.50
30a, 36a, 37a, 46a	.	74.00	10.00
70a, 72a		57.00	10.00
92		189.50	21.50
176	Coffee Shop Stand	269.00	----

REPORT OF THE PERSONNEL COMMITTEE

To The Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FIFTEENTH Report for 1987 and respectfully recommends:

1. Approval of the reclassification of the stenographer position reporting to the Legislative Assistant II in the City Clerk's Department:
 - (a) One (1) position, a Stenographer I, be reclassified downwards to a Stenographer II position, Salary Schedule E-4, \$382.03 to \$409.45 per week. This position is currently vacant.
2. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1987 October 8, 1987, as set out on the list attached hereto, as Schedule "A".
3. That the following Policy respecting AIDS be adopted:

POLICY

The Corporation of the City of Hamilton recognizes and respects the rights of all its employees as these rights have been developed and defined under federal and provincial laws, collective agreements and management policies. The City has an obligation to provide a safe work environment for its employees and the safe delivery of services to its clients. At the same time, it is recognized that employees handicapped by illness have a right to pursue those activities which their conditions allow, including continuing to work. As long as these employees are able to perform the essential duties of their jobs in a satisfactory manner, and medical evidence indicates that their continuing to work does not pose a safety or health hazard to themselves or others, the City will deal with them if and when the need arises, according to the usual procedures governing personnel decisions.

It is recognized that AIDS is an extremely serious medical condition, and that no medical cure, nor a vaccine to prevent its spread, has yet been found. For these reasons, many people have deep concerns about contracting AIDS and need assurance that their safety will be protected.

The City is committed to addressing these concerns with sensitivity, and through an ongoing programme of information and education for its employees.

While the best available medical opinion indicates that AIDS cannot be contracted through casual contact or most workplace activities, the City will review all situations where employees may, in the course of their duties, be exposed to the bodily fluids of others, and co-ordinate the implementation and regular review and amendment of safety procedures, and the provision of clothing and devices to give effect to such procedures.

Where procedures have been duly established, the City will give its full support to the taking of precautions and the use of protective clothing and equipment called for by the procedures.

As with other diseases, the worst enemies in battling AIDS are fear and ignorance. The City undertakes to obtain and utilize the most up-to-date and authoritative medical information available for the purpose of educating and protecting its employees and members of the public with whom they deal.

Respectfully submitted,

ALDERMAN M. KISS, CHAIRPERSON
PERSONNEL COMMITTEE

E. A. Simpson, Secretary
1987 October 21

att.

10/27/87

-2056-

Schedule "A" referred to in
Section 2 of the 15th Report of
the Personnel Committee

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Jack Ambridge	Truck Driver (Districts)	Public Works	replacing Mr. T. Short - transferred	D-7	\$11.795 per hour	87/09/14
Mr. George Binns	Concrete Finisher (Districts)	Public Works	replacing Mr. V. Zingaro - retired	D-8	\$11.654 per hour	87/09/14
Mr. John Bowker	Traffic Serviceman II	Traffic	replacing Mr. P. Dubord - promoted	A-3	\$379.13 per week	87/09/07
Mr. Wolfgang Buchackert	Truck Driver-Labourer	Public Works	additional staff as approved	D-7	\$11.795 per hour	87/09/14
Mr. Ken Campbell	Assistant Chief Steward	Convention Centre Division of H.E.C.F.L.	replacing Mr. R. Racey - promoted	8	\$19332.56 per annum	87/09/28
Ms. Mary Clarke	Stenographer III	Building	replacing Ms. M. Forrester - resigned	E-3	\$348.03 per week	87/09/08
Mrs. Wendy Crevier	Traffic Planning Technologist	Traffic	replacing Mr. M. White - promoted	A-12	\$565.50 per week	87/09/21
Mr. Guido D'Achille	Maintenance Foreman (Cemeteries)	Cemetery Division of Public Works	replacing Mr. T. Furlong - retired	12C	\$33273.76 per annum	87/08/24

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Robert Dawson	Dispatcher	City Clerk's	replacing Mr. J. Szabo - retired	G-3	\$11.391 per hour	87/08/31
Mr. Pietro Dellerba	Truck Driver-Labourer	Public Works	additional staff as approved	D-7	\$11.795 per hour	87/09/14
Mr. William Drake	Probationary Firefighter, 1st 12 Months	Fire	replacing Mr. B. Hunt - transferred	N-1	\$27300.50 per annum	87/09/08
Mr. Ronald Drummond	Truck Driver-Labourer	Public Works	additional staff as approved	D-7	\$11.795 per hour	87/09/14
Mr. Fernando Franchi	Equipment Mechanic II	Central Garage Division of Public Works	replacing Mr. J. Tosic - transferred	D-11	\$11.907 per hour	87/09/07
Mr. John Grimshaw	Probationary Firefighter, 1st 12 Months	Fire	replacing Mr. R. Bazinet - retired	N-1	\$27300.50 per annum	87/09/08
Mr. Vincent Guglielmo	Sales Executive	H.E.C.F.I.	additional staff as approved	11	\$24348.48 per annum	87/09/14
Mr. Joe Holmes	Sports Groundsman	Public Works	replacing Mr. U. Steduto - retired	D-9	\$11.915 per hour	87/09/07
Mr. Dean Kenney	Probationary Firefighter, 1st 12 Months	Fire	replacing Mr. J. Mackey - deceased	N-1	\$27300.50 per annum	87/09/08

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. William Kreidl	Probationary Firefighter, 1st 12 Months	Fire	replacing Mr. R. Carnegie - retired	N-1	\$27300.50 per annum	87/09/08
Mr. George Manning	Traffic Serviceman I	Traffic	replacing Mr. M. Connelly - promoted	A-4	\$445.97 per week	87/09/07
Mr. Charles Mattina	Concrete Finisher (Districts)	Public Works	replacing Mr. E. Geloso - retired	D-8	\$11.654 per hour	87/09/21
Ms. Linda Parlee	Switchboard Operator	City Clerk's	replacing Ms. J. Walton - promoted	A-3	\$379.13 per week	87/09/21
Mr. Romas Rimkus	Truck Driver-Labourer	Public Works	additional staff as approved	D-7	\$11.795 per hour	87/09/14
Mr. George Ritchie	Dispatcher	City Clerk's	replacing Mr. R. Dawson - promoted	G-3	\$11.391 per hour	87/08/29
Ms. Debbie Sanche	Support Services Technician	Treasury	additional staff as approved	A-9A	\$534.91 per week	87/09/17
Mr. William Sargeant	Zoning Examiner & Code Correlator	Building	additional staff as approved	A-10	\$546.38 per week	87/08/31

10/27/87

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Reinaldo Spagnuolo	Asphalt Raker	Public Works	replacing Mr. P. Valerio - retired	D-9	\$11.715 per hour	87/09/08
Mr. Lloyd Staley	Smoking By-Law Information Officer	City Clerk's	additional staff	SE-6	\$394.24	87/09/21
Mr. Bernard Willemssen	Probationary Firefighter, 1st 12 Months	Fire	replacing Mr. C. Crawford - retired	N-1	\$27300.50 per annum	87/09/08

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Fernando Franchi	Equipment Mechanic II	Central Garage Division of Public Works	resigned	2 months	87/09/18
Ms. Gloria Nielsen	Box Office Clerk	Copps Coliseum Division of H.E.C.F.I.	resigned	1 year & 6 months	87/09/23
Mr. Joe Panjada	Gardener II	Public Works	retired	21 years & 2 months	87/09/30
Mrs. Sally Salerno	Attendant II	Property Maintenance Div. of Property Dept.	terminated	14 years & 3 months	87/09/11
Mr. Umberto Steduto	Sports Groundsman	Public Works	retired	22 years & 7 months	87/09/30
Mr. Ralph Tischler	Caretaker	Property Maintenance Div. of Property Dept.	terminated	19 years & 10 months	87/09/11
Mr. Paul Traicoff	Lifeguard I	Culture and Recreation	resigned	1 year & 3 months	87/09/12

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Thomas Bradbury	Taxation Officer (temporary)	Treasury	replacing Mr. J. Spiler - promoted	0	\$26229.32 per annum	87/09/08
Mr. Gary Hesson	Manager of Municipal Services (temporary)	Culture and Recreation	replacing Mr. G. Kohler - transferred	H3	\$45039.80 per annum	87/09/14
Mr. Gary Kohler	Community Centre Supervisor (temporary)	Culture and Recreation	replacing Mr. G. Hesson - promoted	K2	\$41382.12 per annum	87/09/14
Mr. Gabriel L'Homme	Tractor Operator (temporary)	Public Works	replacing Mr. R. Coscarella - off sick	D-9	\$11.915 per hour	87/09/01
Miss Donna Thrasher	Receipts Clerk III (temporary)	Treasury	replacing Ms. D. Marsh - promoted	E-4	\$382.03 per week	87/09/02

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
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NO TERMINATIONS FROM TEMPORARY POSITIONS AT THIS TIME

Prepared 1987 October 08

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Finance Committee presents its **EIGHTEENTH** Report for 1987 and respectfully recommends:

1. That the annual rates for the use of space in the Lloyd D. Jackson Square underground parking garage by the Hamilton Parking Authority be increased effective January 1, 1988 to the following:

Office Space	- 1 757 sq. ft. @ \$8. \$ 14 056.
Workshop	- 1 346 sq. ft. @ \$6. \$ 8 076.

Total Charge Per Annum ... \$ 22 132.

Note: The previous rent increase was January 1, 1985 where the rates were \$7. per square foot and \$5. per square foot respectively.

2. (a) That the claims of Kevin Jones and the City against James W. Davis be settled in the amount of \$175 000. inclusive of interest and costs.
- (b) That in accordance with Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539, the surplus of \$36 093.30 remaining after the deduction of the City's expenses and costs be paid to Mr. Jones.

Note: On April 22, 1982, Mr. Jones was operating a City tractor when it was struck by a vehicle owned and operated by James W. Davis. Mr. Jones suffered severe injury to his right knee. Two pre-trials have taken place before Justices of the Supreme Court of Ontario and as a result thereof the Committee is recommending this settlement being \$175 000. all inclusive to be paid to the City.

The surplus of \$36 093.30 to be paid to Mr. Jones remains as a credit to the City and must be deducted from the compensation or other benefits to which Mr. Jones may become entitled to from the Workers' Compensation Board with respect to this accident.

3. (a) That the claims of Richard Pierce and the City against Allan S. Cox be settled in the amount of \$31 075.83 inclusive of interest and costs.

- (b) That in accordance with Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539, the surplus of \$23 241.73 remaining after the deduction of the City's expenses and costs be paid to Mr. Pierce.

Note: On March 8, 1984, Richard Pierce was a passenger in a City vehicle that was struck from behind by a vehicle owned and operated by Allan S. Cox. Mr. Pierce suffered injury to his neck and shoulders. Mr. Hitzroth the driver of the City vehicle was also injured and the claims relating to him were settled for \$4 382.62 approved by City Council at its meeting of April 29, 1986.

The surplus of \$23 241.73 to be paid to Mr. Pierce remains as a credit to the City and must be deducted from the amount of any further compensation or other benefits to which Mr. Pierce may become entitled to from the Workers' Compensation Board with respect to this accident.

4. (a) That a tax exemption be granted to the Hamilton Naval Veterans' Association, 108 Parkdale Avenue North, in the amount of \$2 630.04, which is the municipal portion of the 1986 taxes and is the lesser of the actual deficit for 1986 and the 1986 portion of the taxes.
- (b) That the exemption amount of \$2 630.04 be charged to Account No. 0378-0490 provided in the 1987 Estimates.

Note: In adopting Item 8 of the Eighteenth Report of the Finance Committee, City Council at its meeting held September 29, 1981 established a policy whereby Veteran's Clubs may submit applications for tax exemptions on the basis of need, and that the exemption to be granted would not exceed the lesser of the actual operating deficit or the municipal portion of the taxes.

5. That approval be given to the amalgamation of the City and Region Systems Departments.

6. That the "Information Systems Strategy Report" as prepared by Stevenson Kellog Ernst & Whinney, Management Consultants, be referred back to the Computer Advisory Committee for its review and recommendation.

Respectfully submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN
FINANCE COMMITTEE

John Thompson, Acting Secretary
October 20, 1987
mjw

CALYON HBL
M21
1987

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, NOVEMBER 3, 1987
6:30 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship
Mayor Robert M. Morrow.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley,
Copp, Christopherson, Wheeler, Smith, Cowell, Gallagher,
Merling, Murray, Ross.

* * * * *

The Clerk read the notice calling the meeting.

* * * * *

It was moved by Alderman Hinkley, seconded by Alderman Cowell, and carried,
that Council move into Committee of the Whole to consider the following
report, with Alderman Ross in the chair.

* * * * *

(A) EXECUTIVE COMMITTEE - TWENTIETH REPORT

It was moved by Alderman Murray that the question be now put
on Section 1.

YEAS: Aldermen Cowell, Gallagher, Merling, Murray. - 4.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano,
Hinkley, Copp, Christopherson, Wheeler, Smith, Ross.
- 10. LOST.

* * * * *

URBAN MUNICIPAL

DEC 3 1987

GOVERNMENT

It was moved by Alderman Valeriano and seconded by Alderman Christopherson.

RESOLVED: That Section 1 of the Twentieth Report of the Executive Committee be amended by adding the following after the word "That" in the first sentence:

"subject to Pigott Construction Company Ltd. providing documentation that it will not claim for costs associated with the replacement of the rink slab".

YEAS: Aldermen Valeriano, Christopherson, Wheeler.
- 3.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Smith, Cowell, Gallagher, Murray, Ross. - 12. LOST.

* * * * *

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Christopherson, Cowell, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Kiss, Valeriano, Copps, Wheeler, Smith. - 5.
CARRIED.

* * * * *

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Christopherson, Cowell, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Kiss, Valeriano, Copps, Wheeler, Smith.
- 5. CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Cowell.

RESOLVED: that the report of the Committee of the Whole on the report of the Executive Committee be adopted.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Christopherson, Cowell, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Kiss, Valeriano, Copps, Wheeler, Smith.
- 5. CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Cowell.

RESOLVED: that Bill No. A-41 be now read a first time.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Christopherson, Cowell, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Kiss, Valeriano, Copps, Wheeler, Smith.
- 5. CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Cowell.

RESOLVED: that Bill A-41 be considered in the Committee of the Whole (second reading). CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Cowell.

RESOLVED: That the Report of the Committee of the Whole on Bill A-41 be adopted.

YEAS: Mayor Morrow; Aldermen Cooke ,Agro, McCulloch, Hinkley, Christopherson, Cowell, Gallagher, Murray, Ross.
- 10.

NAYS: Aldermen Kiss, Valeriano, Copps, Wheeler, Smith.
- 5. CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Cowell.

RESOLVED: that Bill No. A-41 be now read a third time.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Christopherson, Cowell, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Kiss, Valeriano, Copps, Wheeler, Smith.
- 5. CARRIED.

* * * * *

City Council adjourned at 7:30 o'clock p.m.

* * * * *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its **TWENTIETH** Report for 1987 and respectfully recommends:

- * 1. That the following progress payments totalling \$452 100. be made to Pigott Construction Company Ltd. for work performed relative to Copps Coliseum.

	<u>GROSS</u>	<u>NET</u> (Gross less 10% holdback)
- Progress Certificate of Payment #34 (for work performed up to Sept. 30/86) ..	\$146 743 ...	\$132 069
- Progress Certificate of Payment #35 (for work performed up to Nov. 30/86) ..	\$203 245 ...	\$182 921
- Progress Certificate of Payment #36 (for work performed up to July 31/87) ..	<u>\$152 345</u>	<u>\$137 110</u>
TOTAL	<u>\$502 333</u>	<u>\$452 100</u>

The holdbacks relative to the above payments (\$50 233) plus previous holdbacks total \$113 933.

NOTE: With the exception of Progress Certificate of payment #37, in the approximate amount of: \$6 000 and the above noted \$113 933 holdback, approval of the above will finalize all payments to Pigott Construction Ltd. for the Arena Project.

- ** 2. That leave be granted to introduce the following Bill:

(a) Bill A-41 : A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

Mayor R. M. Morrow, Chairman
Executive Committee

J. J. Schatz, Secretary
Executive Committee
1987 October 30
/dg

* Proposed Amendment Lost, Recorded Vote, see page 2066

** Recorded Vote, see page 2067

CA40N HBLA05
M21
1987

MEETING OF HAMILTON CITY COUNCIL
THURSDAY, NOVEMBER 5, 1987
6:00 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship
Mayor Robert M. Morrow.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps,
Christopherson, Wheeler, Smith, Cowell, Gallagher,
Merling, Murray, Ross.

ALSO PRESENT: Mr. L. Sage, Chief Administrative Officer
Miss A. Schimmel, Director of Culture & Recreation
Mr. J. G. Pavelka, Director of Public Works
Mr. D. Farquhar, Department of Culture & Recreation
Mr. K. E. Avery, Deputy City Clerk
Mr. J. J. Schatz, Secretary, Executive Committee
Mrs. L. Peddle, Acting Secretary, Parks & Recreation Committee
Mr. D. Carson, Executive Assistant to the Mayor

The Clerk read the notice calling the meeting.

* * * * *

Alderman Smith filed with the Clerk a petition signed by a number of
residents protesting the establishment of a professional baseball team at
Bernie Arbour Stadium, and objecting to not being allowed sufficient time
to research the proposal and present their case.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Murray, and carried,
that the Council move into Committee of the Whole to consider the following
report, with Alderman Ross in the chair.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - NINETEENTH REPORT

It was moved by Alderman Cowell and seconded by Alderman
Gallagher.

RESOLVED: that Section 1 (a) (vi) of the Nineteenth Report of
the Parks and Recreation Committee be amended by
deleting the words "appropriate liquor license or" in
the second line. - CARRIED.

* * * * *

URBAN MUNICIPAL
DEC 3 1987
GOVERNMENT DOCUMENTS

It was moved by Alderman Wheeler and seconded by Alderman Hinkley.

RESOLVED: that the following be added to sub-section (b) of Section 1 of the Nineteenth Report of the Parks and Recreation Committee:

"The Executive Committee recommends that the cost for upgrading of Bernie Arbour Stadium and facilities to professional "A" standards (to accommodate an additional 2,000 fans), in the amount of \$342 000, be financed from the Reserve for Capital Projects, Account No. 0280-27, and that the previously approved cost for the following projects be reduced as follows:

- a) Ivor Wynne Stadium - Reduced by \$232 000 from \$1 668 000;
- b) Mohawk Sports Park Phase VI - Reduced by \$110 000 from \$630 000 to \$520 000".

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Christopherson, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 11.

NAYS: Aldermen Kiss, Copps, Smith. - 3. CARRIED.

* * * * *

Recorded vote on Section 1 as amended.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Christopherson, Wheeler, Gallagher, Merling, Murray, Ross. - 10.

NAYS: Aldermen Kiss, Copps, Smith, Cowell.
- 4. CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Murray.

RESOLVED: the report of the Committee of the Whole on the report of the Parks and Recreation Committee be adopted.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. 14.

NAYS: 0. CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Murray.

RESOLVED: that Bill C-6 be now read a first time. - CARRIED.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Murray, and carried that Council move into Committee of the Whole (second reading) to consider Bill C-6, with Alderman Ross in the chair.

* * * * *

Consideration of Bill C-6 (second reading).

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Christopherson, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 11.

NAYS: Aldermen Kiss, Copps, Smith. - 3. CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Murray.

RESOLVED: that the report of the Committee of the Whole
(second reading) on Bill C-6 be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley,
Copps, Christopherson, Wheeler, Smith, Cowell,
Gallagher, Merling, Murray, Ross. - 14.

NAYS: 0. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Murray.

RESOLVED: that Bill C-6 be now read a third time. - CARRIED.

* * * * *

City Council adjourned at 7:10 o'clock p.m.

* * * * *

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **NINETEENTH** Report for 1987 and respectfully recommends:

- *1. (a) That approval be given to enter into an agreement, satisfactory to the City Solicitor and the Director of Culture and Recreation, with the owners of the New York-Penn League baseball franchise, known presently as the Cardinals, to utilize the Bernie Arbour Stadium commencing with the 1988 baseball season under the following terms and general conditions:
- (i) That the City is to make renovations and improvements to the stadium and field facilities to meet professional "A" baseball standards;
 - (ii) The Club is to receive the right to operate the food and beverage concessions from the existing facilities for the Bernie Arbour Stadium and the Mohawk Sports Park in the Commonwealth Sports Complex;
 - (iii) The Club is to receive all advertising rights for the Bernie Arbour Stadium;
 - (iv) The Club is to pay a rental fee of \$250. per game and \$375. for double header games;
 - (v) The Club will pay the City an amount of 15% of gross revenues from concessions generated by other games and events (excluding the Club's games);
 - ** (vi) The City is to support the Club's application for appropriate liquor license of special occasion permits for the provision of beer in the Bernie Arbour Stadium on a limited basis;
 - (vii) The term of the agreement to be three years plus two 1-year options to renew.
- *** (b) That the Executive Committee be requested to recommend the method of financing the improvements to the Bernie Arbour Stadium and field facilities in the amount of \$342 000.

* Recorded Vote on Section 1 as amended,
see page 2072

** Section 1(a)(vi) Amended, see page 2076

*** Section 1(b) Amended, see page 2077
Recorded Vote, see page 2072

- (c) That the Mayor and City Clerk be authorized to execute the above-mentioned agreement with the present owners of the team.
- 2. That authorization be given to proceed immediately with the following improvements to the facilities at a total estimated cost of \$342 000.:
 - (a) Two thousand additional bleacher seats;
 - (b) Modifications to the outfield fences;
 - (c) Modifications to the existing dressing room facilities, press box, and field facilities;
 - (d) Provision of additional public washrooms;
 - (e) Provision of additional parking facilities with paths and lights;
 - (f) Improvements to field lighting.
- *3. That leave be granted to introduce the following Bill:
Bill C-6: A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

L. Peddle, Acting Secretary
November 5, 1987
mjw

* Recorded Vote, see page 2073

** Section 1(a)(vi) amended to read:

- 1. (a) (vi) The City is to support the Club's application for special occasion permits for the provision of beer in the Bernie Arbour Stadium on a limited basis;

*** Section 1(b) amended to read:

1. (b) That the Executive Committee be requested to recommend the method of financing the improvements to the Bernie Arbour Stadium and field facilities in the amount of \$342 000.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE COST FOR UPGRADING OF BERNIE ARBOUR STADIUM AND FACILITIES TO PROFESSIONAL "A" STANDARDS (TO ACCOMMODATE AN ADDITIONAL 2,000 FANS), IN THE AMOUNT OF \$342 000, BE FINANCED FROM THE RESERVE FOR CAPITAL PROJECTS, ACCOUNT NO 0280-27, AND THAT THE PREVIOUSLY APPROVED COST FOR THE FOLLOWING PROJECTS BE REDUCED AS FOLLOWS:

- A) IVOR WYNNE STADIUM - REDUCED BY \$232 000 FROM \$1 900 000 TO \$1 668 000.
- B) MOHAWK SPORTS PARK PHASE VI - REDUCED BY \$110 000 FROM \$630 000 TO \$520 000. CARRIED

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, NOVEMBER 10, 1987
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps,
Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling,
Murray, Ross.

Father David Lewis, Our Lady of Lourdes Roman Catholic Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow read the following proclamation:

- (i) "Chedoke-McMaster Hospitals Week" - November 16th-22nd, 1987.

A presentation was made to the Hamilton-Scourge Foundation by Mr. Peter Rindlisbacher.

The minutes of the meeting of October 27, 1987 and the special meeting of November 3, 1987 were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Josephine Banek, 42 Beland Ave. South, Hamilton, Ontario, for a modification to the "C" District regulations for property located at 42 Beland Avenue South, dated October 28, 1987.
2. Application from Ortega Properties Ltd., 15 Vanessa Court, Hamilton, Ontario, for a change in zoning, property located at 181 Victoria Avenue South, dated October 30, 1987.
3. Application from 566055 Ontario Inc., 275 King William Street, Hamilton, Ontario, for a change in zoning, property located at 94 Park Street North, dated November 9, 1987.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following reports, with Alderman Ross in the chair.

* * * * *

(A) EXECUTIVE COMMITTEE - TWENTY-FIRST REPORT.

It was moved by Alderman Cowell and seconded by Alderman Agro.

RESOLVED: that Section 4 be amended by adding the following:

"That the area municipalities in the Hamilton-Wentworth Region be invited to endorse and participate in the review." - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Copps.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution respecting the matter of a Strategic Plan. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Copps, Christopherson, Smith, Ross. - 7.

NAYS: Aldermen Agro, McCulloch, Hinkley, Wheeler, Cowell, Gallagher, Merling, Murray. - 8. LOST.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTEENTH REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Murray, Ross. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

* * * * *

Recorded vote on Section 7.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

It was moved by Alderman Copps and seconded by Alderman Murray.

RESOLVED: that Section 8 be referred back. - CARRIED.

Recorded vote on Section 9.

YEAS: Mayor Morrow; Aldermen Agro, McCulloch, Hinkley, Copps, Christopherson, Wheeler, Smith, Merling, Murray. - 10.

NAYS: Alderman Kiss. - 1. CARRIED.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - TWENTIETH REPORT.

The recommendation of the Executive Committee on Section 3 was carried.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - TWENTY-FIRST REPORT.

* * * * *

PLANNING AND DEVELOPMENT COMMITTEE - TWENTIETH REPORT.

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Section 8, tabled by City Council at its meeting held on Tuesday, October 27, 1987, reading as follows:

"8. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following residential buildings:

- (a) 20 Brucedale Avenue East
- (b) 32 Brucedale Avenue East
- (c) 34 Brucedale Avenue East
- (d) 36 Brucedale Avenue East
- (e) 38 Brucedale Avenue East",

be lifted from the table. - CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Section 8 be approved. - CARRIED.

* * * * *

(E) LEGISLATION COMMITTEE - SEVENTEENTH REPORT.

Recorded vote on Section 4.

YEAS: Aldermen Kiss, Agro, Hinkley, Copps, Christopherson,
Wheeler, Smith, Gallagher, Merling. - 9.

NAYS: Alderman Ross. - 1. CARRIED.

* * * * *

Recorded vote on Section 5.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley,
Copps, Christopherson, Wheeler, Smith, Cowell,
Murray, Ross. - 12.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

* * * * *

It was moved by Alderman Agro and seconded by Alderman
Christopherson.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be
invoked for this meeting of City Council in
order to permit consideration of a resolution
respecting the use of City Hall facilities for
a United Way telephone blitz. - CARRIED.

* * * * *

It was moved by Alderman Agro and seconded by Alderman
Christopherson.

RESOLVED: that the following be added as Section 7.

"7. That the request of United Way to use City
Hall Facilities from 6.00 p.m. to 9.00 p.m.
on Wednesday, 1987 November 18th, by setting
up approximately 50 telephones for a community
wide telephone blitz, be approved.

NOTE: United Way is hoping to have as many
homes as possible called in an attempt
to reach the 3 out of 5 people who are
not asked to support the United Way. - CARRIED.

* * * * *

(G) FINANCE COMMITTEE - NINETEENTH REPORT.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-42, A-43,
B-88, B-89, B-90, B-91, B-92,
D-126, D-127, D-128, D-130, D-131, D-132, D-133, D-134,
D-135, D-136, D-137, D-138, D-139, D-140, D-141, D-142,
D-143,
E-22, E-23, E-24, E-25 - CARRIED.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Ross in the chair.

A-42, A-43,
B-88, B-89, B-90, B-91, B-92,
D-126, D-127, D-128, D-130, D-131, D-132, D-133, D-134,
D-135, D-136, D-137, D-138, D-139, *D-140, D-141, D-142,
D-143,
E-22, E-23, E-24, E-25.

* * * * *

Consideration of the Bills (second reading).

*Recorded vote on Bill No. D-140.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 12.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time:

A-42, A-43,
B-88, B-89, B-90, B-91, B-92,
D-126, D-127, D-128, D-130, D-131, D-132, D-133, D-134,
D-135, D-136, D-137, D-138, D-139, D-140, D-141, D-142,
D-143,
E-22, E-23, E-24, E-25. - CARRIED.

* * * * *

City Council adjourned at 9.15 o'clock, p.m.

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REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its TWENTY FIRST Report for 1987 and respectfully recommends:

1. Attached for the information of the members of City Council, as Schedule "A" is a copy of a Summary of Capital Projects in Progress as at September 30th, 1987.

NOTE: Detailed reports relative to the specific projects are available from the Secretary, Executive Committee or the City Treasurer.

2. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to finance City of Hamilton's contribution towards the Windermere Basin Rehabilitation Project at an estimated cost of \$750 000, with no eligible subsidies by the issuance of debentures for a period not to exceed 15 years recoverable from the mill rate levied on all rateable property and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$750 000 for a term not to exceed 15 years.

NOTE: With the adoption of Section 18 of the Fourteenth Report of the Transport and Environment Committee, City Council at its meeting held on October 13, 1987 confirmed its commitment of \$750 000. towards the Windermere Basin Rehabilitation Project. The Council did so on the understanding that the total estimated cost of the project is 4.5 million dollars and is to be shared between the City, the Region, the Harbour Commission, the Province of Ontario and the Government of Canada.

Provision for the City's contribution of \$750 000. is included in the 1987 portion of the 1987 - 1991 Capital Budget.

3. (a) That the rehabilitation of the street lighting and sidewalks on the T.B. McQueston Bridge (High Level Bridge) at a net estimated cost to the City of \$155 000. as provided for in the 1987 portion of the 1987 - 1991 Capital Budget, be proceeded with.
- (b) That the cost of financing the rehabilitation of the street lights and sidewalks be financed from the 1987 Capital Levy, Account No. 0376-0298.
- (c) That the Commissioner of Engineering be authorized and directed to undertake this work on behalf of the City of Hamilton.

NOTE: At its meeting on July 28, 1987, City Council, on the recommendation of the Transport and Environment Committee agreed to petition the Region to assume these costs. Regional Council, subsequently considered this matter and determined that it was the City's responsibility to pay these costs. The Transport and Environment Committee again reviewed this matter at its meeting on November 2, 1987 and recommended the project be proceeded with and that the Executive Committee recommend the amount and source of funds for this Capital Project.

- *4. That the Minister of Municipal Affairs be requested to undertake a study and review of Regional Government in the Hamilton-Wentworth Region.

NOTE: With the adoption of Section 5 (c) of the Seventeenth Report of the Finance Committee, City Council at its meeting on October 13, 1987 referred the matter of a study of the structure of Regional Government in Hamilton-Wentworth, to the Executive Committee.

5. That leave be granted to introduce the following Bills:

- | | | |
|-----|-----------|--------------------------------------------------------------------------------------------|
| (a) | Bill A-42 | A By-law to Authorize the Acquisition of Land for the Enclaves Clearance Programme |
| (b) | Bill A-43 | A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton. |

Respectfully Submitted

Alderman Wm. McCulloch
Acting Chairman
Executive Committee

J. J. Schatz, Secretary
Executive Committee
mjlw

* Section 4 amended, see page 2086

* Section 4 amended to read:

4. That the Minister of Municipal Affairs be requested to undertake a study and review of Regional Government in the Hamilton-Wentworth Region.

That the area municipalities in the Hamilton-Wentworth region be invited to endorse and participate in the review.

NOTE: With the adoption of Section 5(c) of the Seventeenth Report of the Finance Committee, City Council at its meeting on October 13, 1987 referred the matter of a study of structure of Regional Government in Hamilton-Wentworth, to the Executive Committee.

Appendix "A" as referred to in Section 1 of the Twenty-first Report of the Executive Committee

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at September 30, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Yes or No	
							Construction (8)	Budget (9)
General Administration								
1	Energy Conservation Program - 1983	07/83	12/87	200	176	24	Yes	Yes
2	Ceramic Belting Replacement and Window Repair - City Hall	01/85	06/87	40		40	Yes	Yes
3	Energy Conservation Projects - City Hall	06/84	12/87	730	350	380	No	Yes
4	Capital Construction Grant - General Hospital	10/85	12/87	870	856	14	Yes	Yes
6	Major Maintenance to Civic Buildings	05/86	06/88	200	195	5	Yes	Yes
9	Treasury Department Computer Program - Data Base and Fourth Generation Language	09/86	12/89	550	55	495	Yes	Yes
10	Handicapped Access to Recreational Buildings	09/86	12/88	100	Nil	100	Yes	Yes
11	Energy Conservation Projects	05/86	12/87	50	Nil	50	Yes	Yes
12	Construction Costs/Accommodation Requirements - Aldermen's Offices	06/86	05/87	705	647	58	Yes	Yes
13	Construction Costs/Accommodation Requirements - City Hall	07/86	12/87	88	43	45	No	No
15	Relocation Expenses - Human Resources Centre	04/87	06/87	51		51	Yes	Yes
16	Summer's Lane and Plaza-Landscaping and Entrance Improvement			200				
17	Treasury Department - Computer Software	08/87	12/87	100		100	Yes	Yes

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at September 30, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Construction (8)	Budget (9)
General Administration - Continued								
18	Treasury Department Computer Environment Improvements	09/87	06/88	350			No	No
19	City Hall Computer Workstation Furniture	08/87	06/88	100	7	93	Yes	Yes
20	Energy Conservation to Civic Buildings			250				
21	Major Maintenance to Civic Buildings			250				
22	Construction Costs - Accommodations			132			No	No
	- City Hall			632		632	Yes	Yes
23	Blue Boxes for Recycling Materials	08/87	12/88					
Protection to Persons & Property								
52	Fire Stn. E. Mountain - Limeridge Rd. & Upper Ottawa St./Construction	05/87	12/87	960	927	33	Yes	Yes
53	Fire Stn. E. Mountain, Limeridge Rd. & Upper Ottawa - Vehicle Purchase	06/86	11/87	275	258	17	Yes	Yes
54	Fire Stn. - Stone Church Road & Upper Wellington/Land Acquisition	08/86	09/87	160	154	6	Yes	Yes
Department of Transportation								
102	Land Acquisition - Fessenden & Gurnett Neighbourhoods	1986	1987	80	Nil	80	Yes	Yes
103	Road Access - Riverdale East Neighbourhood	08/86	10/88	377	16	361	No	No

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at September 30, 1987

Item No.	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Construction (8)	Budget (9)
Department of Transportation - Continued								
104	MacNab & Mary Street Bridges Over C.N. Rail & Parkdale Bridge Over Lawrence Road	08/86	12/87	135	10	125	No	Yes
105	Windermere Basin - Clean Up	1986	1987	750			Yes	Yes
106	Roxborough Avenue Reconstruction	06/86	12/87	390	364	26	Yes	Yes
108	High Level Bridge Street Lighting			155			No	Yes
Parking Authority								
201	Victor K. Copps Trade Centre/Arena Parking Facilities	02/84	Unknown	1,700	1,431	269	No	Yes
202	Victor K. Copps Trade Centre/Arena Parking Facilities Additional Costs	09/85	Unknown	590	263	327	No	Yes
203	Parking Facility in Southeast Quadrant	1986	Unknown	800			No	Yes
204	Construction of Parking Garage - York Boulevard and MacNab Street	05/87	12/87	7,200	7,164	36	Yes	Yes
205	Land Acquisition and Development of Additional Parking Facilities in Various Locations	1987	Unknown	200				

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)
as at September 30, 1987

Item No. (1)		Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
			Start (3)	Finish (4)				Construction (8)	Budget (9)
Department of Public Works									
251		Replacement of Wentworth Street Steps - Lower Section	10/85	11/87*	230	198	32	Yes	Yes
253		Addition/Alterations to Yard Bldg. Brampton St. Dist. Yard #3	12/85	11/87*	293	293	Nil	Yes	Yes
254		Replacement of James Street Steps	05/86	12/87	300	156	144	Yes	Yes
255		Construction of Salt Dome - Chedoke Maintenance Depot	05/86	11/87*	131	124	7	Yes	Yes
256		Centralized Computer Fuel System	05/86	11/87*	300	226	74	Yes	Yes
257		Water Course Drop Structure - West of 350 Quigley Road	05/86	12/87	100	Nil	100	Yes	Yes
258		New Equipment Sanitation Division	04/87	12/87	180	169	11	Yes	Yes
259		Construction of New Mountain Public Works Yard	07/87	06/89*	2,007	2	2,005	Yes	Yes
260		New Equipment Central Garage	04/87	10/87	68	64	4	Yes	Yes
261		New Equipment Streets Division	05/87	12/87	340	151	189	Yes	Yes
262		Construction of Salt Dome Districts 2 and 3	06/87	12/87	310	1	309	Yes	Yes
Department of Culture & Recreation									
301		Replacement of Ice Making System - Coronation Arena	05/86	08/87	725	481	244	Yes	Yes
302		Parkland Acquisition Programme	01/85	Unknown	500	1	499	Yes	Yes
303		Replacement of Ice Making System - Inch Park Arena	10/85	08/87	900	684	216	Yes	Yes
304		Replacement of Ice Making System - Parkdale Arena	05/86	08/87	725	492	233	Yes	Yes

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at September 30, 1987

Item No.	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Construction (8)	Budget (9)
<u>Department of Culture and Recreation - Continued</u>								
306	Replacement of Ice Making System - Eastwood Arena	05/86	08/87	725	535	190	Yes	Yes
307	Bikepaths (Phase 1)	05/86	05/87	330	118	212	Yes	Yes
308	Replacement of Ice Making System - Scott Park Arena	05/86	09/87	600	395	205	Yes	Yes
309	Construction of West Mountain Twin Arena - Mohawk and Upper Horning	Unknown	Unknown	6,605	185	6,420	No	Yes
310	Golf Cart Storage Facility - King's Forest Golf Courses	06/87	05/88*	64		64	No	Yes
311	Bike Paths (Phases 2, 3 & 4)	05/87	12/90*	990	1	989	Yes	Yes
312	Renovations Artificial Ice Rink - Scott Park	06/87	12/87	350	14	336	No	Yes
313	Hamilton Tennis Club - Improvements to Court Lighting	06/87	08/87	50	41	9	Yes	Yes
314	Brian Timmis Stadium Parking	05/87	12/87*	150	91	59	Yes	Yes
<u>Parks Division</u>								
351	Ivor Wynne Stadium - Rehabilitation of N/S Stands - Press Boxes, Etc.	04/86	12/88	1,275	977	298	Yes	Yes
352	Ivor Wynne Stadium - Rehabilitation of North/South Stands	04/85	06/88	625	358	267	Yes	Yes
353	Mohawk Sports Park (Stage IV)	10/82	11/87	550	462	88	Yes	Yes
354	Waterfront Parks Development - Study phase	09/84	12/87	150	141	9	Yes	Yes

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at September 30, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Yes or No	
							Construction (8)	Budget (9)
(351-400) Parks Division - Continued								
355	Mohawk Sports Park (Stage V)	08/85	12/87*	650	631	19	Yes	Yes
356	Chedoke Golf Course Storage and Workshop	06/86	06/88	161	Nil	161	No	Yes
357	Track Facility - Mohawk Sports Park	05/86	06/88	300	Nil	300	No	Yes
358	Floodlighting Fields - Mohawk Sports Park	10/86	10/87	120	Nil	120	Yes	Yes
360	Waterfront Parks Development - Consulting Services	06/86	12/87	200	92	108	Yes	Yes
361	Half-way House - Chedoke Golf Course	05/86	08/87	60	59	1	Yes	Yes
362	Mohawk Sports Park (Stage 6)	06/87	08/88	630	39	591	Yes	Yes
363	Mohawk Sports Park Construction of Utility Building	07/87	04/88	198		198	Yes	Yes
(401-450) H.E.C.F.I.								
401	Central Utilities Plant - New Equipment	05/85	12/87	316	300	16	Yes	Yes
402	Victor K. Copps Trade Centre/Arena	08/83	12/91	41,429	40,042	1,387	Yes	Yes
403	Automated Facilities Management Computer System	06/86	12/88	83	18	65	Yes	Yes

-2092-

11/10/87

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)										
as at September 30, 1987										
Item No.	Project Description	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	Yes or No		
		Start	Finish					Construction	Budget	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)		
(401-450) H.E.C.F.I. - Continued										
404	Victor K. Copps Trade Centre/Arena Renovations	07/87	12/87	130	30	100	Yes		Yes	
405	Corporate Expense - Office Equipment	05/87	12/87	10	6	4	Yes		Yes	
406	Corporate Expense - Equipment for Marketing Offices	05/87	03/88*	30	16	14	Yes		Yes	
407	Central Utilities Plant - New Equipment	06/87	12/87	237	93	144	Yes		Yes	
(501-550) Hamilton Public Library Board										
501	Kenilworth Branch Renovations	05/86	10/87	471	406	66	Yes		Yes	
502	Replacement - Specialized Office Equipment and Furnishings	08/87	12/87	107	37	70	Yes		Yes	
503	Terryberry Library Addition - 2nd Floor	08/87	12/88	1,566		1,566	Yes		Yes	
(601-650) Planning										
601	Enclaves Clearance	08/87	12/91	3,000		3,000	Yes		Yes	

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)
as at September 30, 1987

Item No.	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Budget (9)
		Start (3)	Finish (4)				Construction (8)	Yes or No	
(651-700) Hamilton Convention Centre									
651	Hamilton Convention Centre Furniture & Equipment	06/86	12/87	62	54	8	Yes		Yes
652	Hamilton Convention Centre Furniture and Equipment	06/87	07/88	288	30	258	Yes		Yes
(701-750) Community Development Department									
701	Downtown Action Plan - Phase III B	07/86	12/87	1,300	1,223	77	Yes		Yes
702	Downtown Action Plan - Phase II	07/85	12/87	1,603	1,599	4	Yes		Yes
703	Downtown Action Plan - Gore Park Area & Extension	07/83	12/87	3,529	3,450	79	Yes		Yes
704	James St. North Streetscape	07/86	12/88	1,764	60	1,704	Yes		Yes
706	Downtown Action Plan - Phase IV	05/87	12/88	1,429	26	1,386	Yes		Yes
707	O.N.I.P. Corktown/Stinson	05/87	12/90	900	73	827	Yes		Yes
708	Facade Improvement Programme	07/87	12/87	200	5	195	Yes		Yes
709	Facade Improvement Programme	07/87	12/90	600		600	Yes		Yes
710	Downtown Action Plan - C.I.B.C.	09/87	12/87	80	4	76	Yes		Yes
711	Commercial Improvement Programme	06/87	12/91	2,500		2,500	Yes		Yes
712	P.R.I.D.E. Programme - Crown Point West/Stipecley - Phase II			2,000			No		
713	Streetscape Improvements - York Boulevard - MacNab To James Street	06/87	06/88*	100	10	90	No		Yes
714	P.R.I.D.E. Programme - Crown Point West/Stipecley - Phase I	09/87	12/91	800		800	Yes		Yes

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its SIXTEENTH Report for 1987 and respectfully recommends:

1. That an Offer to Purchase executed by Charles Russell Almas and Shirley Maybrey for the Estate of Helen Adelaide Almas on the 15th day of October 1987 and scheduled for closing 60 days after the enactment of a by-law to stop up, close and sell the road allowance of Upper Horning, as shown as part of Part 2 on Plan 62R-7526, be approved and completed.

Note: This portion of the road allowance is triangular in shape, has a frontage along the westerly limit of Upper Horning Road and contains approximately 7 060 square feet (655.8m²) more or less, shown as part of Part 2 on Plan 62R-7526. The purchase price of \$12 000. is to be credited to Account No. 0208-02. A money order in the amount of \$1 000. is being held by the Treasurer pending approval of this transaction.

- * 2. That approval be given to extend the closing dated from October 17, 1987 to December 7, 1987 for the sale of a surplus parcel of land on the west side of Upper Wentworth Street, south of Stone Church Road East, to Stonechurch Holdings Limited.

Note: This sale is conditional upon a rezoning of the subject parcel to allow townhouses in R-4 modified. An objection has been received to the zoning change and an O.M.B. hearing is to be scheduled.

3. (a) That for the 1987 - 1988 Winter Season, staff of the Public Works Department make every effort to operate all contract graders, that have been hired by the City of Hamilton and that are ready and available when required by the City of Hamilton for at least 100 hours.
- (b) That provision for either stand-by time or "start-up" costs be included in the next tender for snow clearing.

* Recorded Vote, see page 2079

Note: The Transport and Environment Committee and subsequently Council approved that staff approach the grader owners under contract with the City to obtain their written agreement to the following suggested modification to the contract:

"That an annual "start-up" cost of \$2 000. per vehicle, is paid for each grader hired by the City of Hamilton, providing that the grader has not clocked 100 hours during the winter season and providing that the grader has been available and ready throughout the season when required by the City of Hamilton."

Seventeen letters were sent out to the grader owners:

6 responded favourably
to the suggestion
in writing

11 did not respond at
at all

Some of the grader owners who did not respond at all, verbally advised that the City was being generous in its offer of considering "start-up" costs.

Considering that the majority of grader owners did not respond, staff have concluded that these grader owners must be willing to endure the existing arrangements. Consequently, it is reasonable to continue the existing arrangements without change for the 1987 - 1988 winter season.

The staff from the Streets Section are also of the opinion that as long as there is snow, the graders can be deployed so that if the equipment is ready and always available when required for the City, they will accrue 100 hours of operation throughout the winter season.

4. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between the Corporation of the City of Hamilton and Empire Developments (Hamilton) Limited for the collection of garbage at 800 Upper Paradise Road.

Note: This Agreement will require the Applicant to indemnify and save the City harmless against any loss and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

5. (a) That the Council of the Corporation of the City of Hamilton as Approving Authority under the Expropriations Act approve the Application for Approval to Expropriate part of Lot 27, Concession 2 in the former geographic Township of Saltfleet, land being part of 163 Centennial Parkway, designated as Part 1, Plan 62R-8672, for roadway and municipal purposes.
- (b) The proposed expropriation is recommended for approval for the following reasons:
- i) The land proposed to be expropriated is needed to establish a roadway and for municipal services;
 - ii) The location of the proposed roadway is in accordance with the approved neighbourhood plan.
- Note:** Pursuant to the provisions of the Expropriations Act, City Council, as expropriating authority, is required to consider the Inquiry Officer's Report and to decide whether to approve or not approve the proposed expropriation. A copy of the report dated September 4, 1987 has already been forwarded to all members of City Council under separate cover. The Inquiry Officer found the proposed expropriation was fair, sound and reasonably necessary pursuant to Section 7(5) of the Expropriations Act.
6. That the application of Mr. R. A. Eby, on behalf of the present owner(s) of 150 Locke Street South, Westgate Congregation of Jehovah's Witnesses to erect and maintain the following encroachment consisting of a fabric awning; 1.2m by 3.69m and 2.44m above the sidewalk be approved during the pleasure of City Council, provided:
- (a) That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125. and subsequent annual fee of \$35. be set for this privilege.
 - (c) That the Mayor, City Clerk and Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

- * 7. That the following organizations be permitted to display a promotional banner across Main Street, in front of City Hall, subject to the policy guidelines and conditions approved by City Council on October 29, 1985 and September 30, 1986 on the dates indicated below and with the following messages.

ORGANIZATIONS	DATES	MESSAGE
(a) St. Joseph's Hospital	April 18/88 to April 25/88	"St. Joseph's Hospital 3rd Annual Golf Tournament Thursday, June 23/88"
(b) St. Joseph's Hospital	May 16/88 to May 23/88	"A Special Event for St. Joseph"
(c) Hamilton-Wentworth Roman Catholic Separate School Board	March 7/88 to March 14/88	"Hamilton-Wentworth Catholic Schools Science Fair"

- **8. That the following policy respecting installation of pedestals for Bell Canada and Cable TV Companies be approved:

- (a) That Bell Canada and Cable TV Companies (utility companies) be permitted to install pedestals on the road allowance upon written permission being obtained from the Commissioner of Engineering for each location and subject to the following conditions:
 - i) That prior to permission being granted by the Commissioner of Engineering, the utility company notify the abutting owner in writing where pedestals are proposed. In the event the abutting owner has concerns which cannot be addressed by the utility company, then the Commissioner of Engineering shall assist in the discussions to alleviate the concerns.
 - ii) That the utility companies be required to install, at their cost, suitable landscaping features (bush, shrub) if requested by the abutting owner, to camouflage the pedestal.
- (b) That in all cases, proposed pedestal locations shall be chosen upon consideration of the least visual impact on the abutting property.

- * 9. That Ministry of the Environment (M.O.E.) officials who assess the Rondar Inc. application submission for a Class 3 Site Approval for a PCB Dechlorination system in order to provide a service to Hamilton Hydro at its Transformer Station located at the corner of Upper Gage and Seventh Avenue be informed that the City of Hamilton has no objections to the Rondar Inc. request for approval, provided that all M.O.E. regulations concerning siting of the mobile processing unit, the collection and disposal of the process by-product, the Ministry's PCB Site (Class 2 and 3) Applicant Information Checklist, and all applicable City of Hamilton By-laws be complied with and adhered to fully.
10. That the Planning and Development Committee, the Parks and Recreation Committee and the Finance Committee be requested to provide comments to the Transport and Environment Committee on the Phase 1 Report of the Hamilton Perimeter Road.
11. (a) That a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Young Street commencing at West Avenue and extending to a point 57 feet westerly therefrom; and,
- (b) That the City Traffic By-law 66-100 be amended accordingly.
12. (a) That a "No Stopping" Corner Clearance be implemented on the west side of Connaught Avenue, commencing at Dunsmure Road and extending to a point 52 feet southerly therefrom; and
- (b) That the City Traffic By-law 66-100 be amended accordingly.
13. That in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a second School Traffic Officer be assigned to assist children crossing at the intersection of Quigley and Albright Roads.
14. That Regional Council be requested to amend the Regional Traffic By-law by changing the duration of parking meters on both sides of King Street East between Sanford Avenue and Stirton Street from 1 hour to 2 hours.

* Recorded Vote, see page

Note: For the information of the members of City Council, the former By-law Enforcement Sub-Committee of the Transport and Environment Committee agreed to conduct an experiment regarding non-enforcement of parking meter violations on Saturdays on King between Sanford and Stirton for a 6 month period from November 1986 to April 1987.

The recommendation to resume enforcement of the parking meter violations on Saturday on this section of street was approved by the Transport and Environment Committee and subsequently by City Council on September 1, 1987. However, as a result of concerns expressed, this matter was referred back to the Transport and Environment Committee by City Council on October 13, 1987 in order that the matter could again be discussed by committee.

At its meeting held Monday, November 2, 1987, the Committee approved that the duration of the parking meters in this two block section of street be changed from 1 hour to 2 hours in order to assist merchants in the area.

15. (a) That the Director of Public Works be authorized and directed to install a 1.5m wide stone path on the east side of Lake Avenue between Huckleberry Drive and Delawana Drive.
- (b) That the cost of this work, estimated at \$5 000. be financed from Account No. 0352-0461 Paths and Walkways.
- (c) That in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, the School Traffic Officer which is presently situated at the intersection of Lake Avenue and Huckleberry Drive be relocated to the intersection of Lake Avenue and Delawana Drive.
16. That leave be granted to introduce the following bills:
- (a) Bill No. B-88 By-law to Establish Part 1, Plan of Expropriation Registered as No. 396377 C.D. and to be Named Milkyway Drive
- (b) Bill No. B-89 By-law to Close and Sell Ten Foot (10') Public Walkway Between Laird Drive and Lockheed Drive, Plan M-89
- (c) Bill No. B-90 By-law to Expropriate Land for Roadway Purposes

11/10/87

-2101-

- (d) Bill No. B-91 By-law to Amend Traffic By-law No. 66-100
To Regulate Traffic
- (e) Bill No. B-92 By-law to Amend Traffic By-law No. 66-100
To Regulate Traffic

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

John Thompson, Acting Secretary
November 2, 1987
mjw

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

To the Members of City Council

The Parks and Recreation Committee presents its TWENTIETH Report for 1987 and respectfully recommends:

1. (a) That the following tenants occupying City owned rental properties be given notice of vacant possession (in accordance with the Landlord Tenant Act) before November 30, 1987 in order that the City may receive vacant possession of the properties on or before March 31, 1988.

Mrs. S. McDonaugh - 215 Belmont Avenue

Mrs. D. Chenard - 141 Belview Avenue

Mrs. F. Dickson - 151 Belview Avenue

- (b) That the City Solicitor be authorized and directed to prepare the necessary notices of vacant possession.

Note: The above mentioned properties were acquired between 1981 and 1984 for the construction of the Crown Point West Park.

Sufficient funds are available to commence construction of this park in the spring of 1988.

2. That an Offer to Purchase an Easement through City owned ravine lands bordering Stoney Creek to 442578 Ontario Inc. operating as Goemans Appliances executed on October 26, 1987 and scheduled to close on December 17, 1987 to completed.

The easement which extends westerly from Municipal Number 903 Queenston Road, Stoney Creek, comprises an area of 3 metres by 20 metres (645 square feet, more or less).

The purchase price is \$100.00, the proceeds of which will be credited to Account No. 0280, Reserve for Park Lands. A deposit cheque in the sum of \$10.00 is being held by the Treasurer pending acceptance and closing of this transaction.

This transaction includes the following understandings and agreements:

- a) The Purchaser at its expense will provide the Vendor with a reference plan describing the Easement to be conveyed.
 - b) The installation and maintenance of a yard storm sewer shall be at the expense of the Purchaser, who will assume full responsibility for restoration and maintenance of the slope upon completion of the installation, into perpetuity.
 - c) The works proposed herein are subject to the approval of the Regional Conservation Authority.
3. (a) That \$5 000. be allocated to the Bruce Park Playground Equipment Project to match those funds raised in the community for the installation of metal playground equipment on that site in accordance with the policy approved by City Council on May 13, 1986 and amended on October 28, 1986.
- (b) That the Executive Committee be requested to recommend the method of financing for this project.

NOTE: THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE \$5 000. REQUIRED FOR THE INSTALLATION OF PLAYGROUND EQUIPMENT FOR BRUCE PARK BE FINANCED FROM THE "RESERVE FOR ACQUISITION OF LAND UNDER THE PLANNING ACT", ACCOUNT 0280-11. CARRIED

4. That the public hours of operation for the Hamilton Museum of Steam and Technology, as of January 1, 1988 be as follows:

- a) Open daily except for Christmas and New Year's Day.
- b) June 1 - Labour Day - 11:00 a.m. - 4:00 p.m.*
- c) Rest of the Year - 1:00 p.m. - 4:00 p.m.*

*Tickets sold until this time

Note: For the information of the members of City Council, the hours of operation listed above will be consistent with the three other museums within the Department's jurisdiction (except for the Children's Museum which caters to school group participation), thus simplifying promotion and communication of same.

For the further information of the members of City Council, daily hours of operation will provide maximum access for the general public and Museum practices and policies as per Ministry Standards will be adhered to. Education, interpretation, exhibition policies, will be followed with visitor programming promoted throughout the year.

5. (a) That the Manager of Purchasing be authorized to dispose of existing restaurant equipment at Dundurn Castle.
- (b) That proceeds from the sale of same be utilized to purchase supplies and equipment required to meet museum standards as recommended by the Ministry of Citizenship and Culture guidelines.
- (c) That the liquor bar be dismantled.

Note: For the information of the members of City Council, limited food service has been provided by way of a snack bar during the summer months.

For the further information of the members of City Council, the equipment being disposed of includes a Coldstream 3 door refrigerator, Hobart Dishwasher Serial No. 99-1090178, Moyer - Diebel Bar Glass Washer Serial No. 82P 11493284, Garland Oven Serial No. 105882, Garland Charcoal Grill Serial No. 680368, Garland Six Burner Gas Range Serial No. 32187, Garland Warmer, Frymaster Deep Fryer Serial No. 82F5951GL, Litton Microwave Serial No. (not available), Steam Table Unit, Silex Four-Slice Electric Toaster, dismantled liquor bar.

6. (a) That the German Howitzer Gun, recently refurbished, be returned to its original location in Dundurn Park, on a temporary basis.
- (b) That the cost of installing a concrete pad for the Gun, at approximately \$2 000. be provided from Account No. 0369-0875 - Operating Equipment.

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

L. Peddle, Acting Secretary
November 3, 1987
mjlw

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its Twenty-First Report for 1987 and respectfully recommends:

1. That APPROVAL be given to Zoning Application 86-93, Subhash Dighe, owner, requesting a change in zoning from "A" (Conservation, Open Space, Park and Recreation) District to "H" (Community Shopping and Commercial, etc.) District, modified, and a modification to the "A" (Conservation, Open Space, Park and Recreation) District, to permit the development of the subject lands for a 3 storey, 2,900m² (31,216,36 sq. ft.) medical centre, and to permit parking on the Hydro lands for the property located on the west side of Ewen Road, in the area south of Main Street West as shown on the attached map marked as APPENDIX "A" on the following basis:
 - (a) That the subject lands shown as Block "1" be rezoned from "A" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District;
 - (b) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified, to include the following variances as special requirements:
 - (i) That notwithstanding Section 14(3)(i) the minimum front yard shall be 0.6m.
 - (ii) That notwithstanding Section 14(3)(ii)(a) the minimum northerly side yard shall be 0.7m and the minimum southerly side yard shall be 0.6m.
 - (iii) That Section 14(3)(iii)(c) shall not apply.
 - (iv) That notwithstanding Section 18A.(1)(a) a minimum of 20 parking spaces shall be provided on site and a minimum of 49 spaces shall be provided off-site.
 - (v) That Sections 18A.(1)(e), 18A.(9), 18A.(21), 18A.(27), 18A.(32) and 18A.(33) shall not apply;
 - (c) That the "A" (Conservation, Open Space, Park and Recreation) District regulations as contained in Section 7 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 7.(1), parking of motor vehicles shall be permitted;

- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1046, and that the subject lands on Zoning District Map W-46 be notated S-1046;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-46;
- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (g) That the approved Ainslie Wood Neighbourhood Plan be amended by redesignating the Block "1" from "Utilities" to "Commercial".

Note: The purpose of this by-law is to provide for changes in zoning for the property located on the west side of Ewen Road in the area south of Main Street West on the following basis:

Block "1" - Change in zoning from "A" (Conservation, Open Space, Park and Recreation) District from "H" (Community Shopping and Commercial, etc.) modified; and,

Block "2" - Modification to the "A" (Conservation, Open Space, Park and Recreation) District, modified.

The effect of this by-law is to permit the development of the subject lands for a three (3) storey (2,900m²) medical center (Block "1") and to permit parking on the adjacent hydro lands (Block "2").

In addition, the By-law provides for the following variances:

- (a) to permit a front yard of 0.6m instead of the required 12.0m (Section 14(3)(i))
- (b) to permit a northerly side yard of 0.7m and southerly side yard of 0.6m respectively instead of the required 4.5m (Section 14(3)(ii))
- (c) to delete the rear yard requirement (Section 14(3)(iii))
- (d) to permit 20 parking spaces on-site instead of the legally required 123 spaces (Section 18A.(1)(a))
- (e) to permit 49 parking spaces to be located off-site, instead of requiring the parking to be on-site (Section 18A.(1)(a))
- (f) to delete the required loading spaces and manoeuvring areas (Sections 18A.(1)(e) and (32))
- (g) to permit the manoeuvring area to be located off-site (Section 18A.(9))

- (h) to allow free and unobstructed accessibility to parking spaces on the lot (Section 18A.(10))
- (i) to allow free and unobstructed accessibility to loading spaces on the lot (Section 18A.(33))
- (j) to allow the access driveway to the parking lot to be located off-site (Section 18A.(21))
- (k) to allow the lands in a residential district to be used for vehicular ingress or egress in a commercial district (Section 18A.(27))

2. That APPROVAL be given to Zoning Application 87-89, Spadar Developments Inc., owner, for a change in zoning from "AA" (Agricultural) District to "B-2" (Suburban Residential) District for property located on the west side of the proposed extension of Angelina Place, as shown on the attached map marked as APPENDIX "B" on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "B-2" (Suburban Residential) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27D;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (d) That the Falkirk East Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" to a "Single and Double" residential land use category.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "B-2" (Suburban Residential) District for property located on the west side of the proposed extension of Angelina Place.

The effect of the By-law is to permit the development of the lot for a single-family dwelling.

3. That APPROVAL be given to Zoning Application 87-93, Dolores Breton, owner, requesting a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District provisions, to permit a hairdressing salon to be operated by the applicant as a home occupation, for the property located at No. 56 Lilacside Drive, as shown on the attached map marked as APPENDIX "C" on the following basis:

- (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District regulations contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
- (i) Notwithstanding paragraphs (f) and (h) of Section 2.(2).H.(iii), hairdressing shall be permitted as a home occupation on the following basis:
- (1) Notwithstanding paragraphs (f) and (h) of Section 2.(2).H.(iii), hairdressing shall be permitted as a home occupation on the following basis:
- (2) there is no more than one comb-out centre and one styling sink.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1050, and that the subject land as Zoning District Map E-27 be notated as S-1050;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27; and,
- (d) That the proposed change in zoning is in conformity with the City of Hamilton Official Plan.

NOTE: The purpose of the By-law is to provide for a modification to the existing "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District provisions for the property located at No. 56 Lilacside Drive.

The effect of the By-law is to permit a hairdressing salon for one hairdresser only to be operated from the residence as a home occupation.

4. That **APPROVAL** be given to Zoning Application 87-101, John Moir, owner, requesting a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, to permit the conversion of a two-family dwelling into business and professional offices, for property located at Nos. 182-184 Jackson Street East as shown on the attached map marked as **APPENDIX "D"**, on the following basis:
- (a) That the lands be rezoned from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

- (d) That the Corktown Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to Commercial and Apartments (Conservation).

NOTE: The purpose of the by-law is to provide for a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District for the property located at Nos. 182-184 Jackson Street East.

The effect of the by-law is to permit the conversion of a two-family dwelling into business and professional offices.

5. (a) That APPROVAL be given to Official Plan Amendment No. 53 to establish a Special Policy Area to permit a proposed office use within a RESIDENTIAL designation for property at No. 418 Limeridge Road East, and the City Solicitor be directed to prepare a by-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That APPROVAL be given to an amended Zoning Application 87-102, G. F. Vulker, owner, for a modification to the established "DE" (Low Density Multiple Dwellings) District to permit the use of the existing dwelling for a real estate office, for property located at No. 418 Limeridge Road East, as shown on the attached map marked as APPENDIX "E", on the following basis:
- (i) That the "DE" (Low Density Multiple Dwelling) District regulations as contained in Section 10A of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
1. Notwithstanding Section 10A(1) of By-law No. 6593 the existing dwelling may be converted to a real estate office;
 2. That one ground sign, wall sign or projecting sign of an area of not more than 0.4m² (4.31 sq. ft.), non illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5m (4.92 ft.) from the nearest street line in connection with the commercial use should be permitted.
- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1049, and that the subject lands on zoning District Maps E18A and E18B be notated S-1049;
- (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E18A and E18B;

- (iv) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 53.

Note: The purpose of the application is to modify the existing "DE" (Low Density Multiple Dwellings) District regulations applicable to property located at No. 418 Limeridge Road East as shown on the attached map marked as APPENDIX "E".

The effect of the By-law is to permit conversion of the existing dwelling located on the property to a real estate office.

In addition, the By-law permits one ground sign, wall sign, or projecting sign of an area not exceeding 0.4m² (4.31 sq. ft.), non-illuminated, or illuminated by non-flashing, indirect or interior means only, located at least 1.5m (4.92 ft.) from the nearest street line in connection with the business.

6. (a) That APPROVAL be given to an amended Zoning Application 87-80, 428680 Ontario Ltd. (Herbert Schreiber), owner, requesting changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District and "RT-20" (Townhouse -Maisonette) District, to permit the development of the subject lands for single-family dwellings and townhouses, for the property located on the north side of Rymal Road East, between Upper Wellington Street and Upper Wentworth Street, as shown on the attached map marked as APPENDIX "F", on the following basis:
- (i) That the lands shown as Blocks "1" and "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
 - (ii) That the lands shown as Block "3" be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse -Maisonette) District.
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18D;
 - (iv) That the approved Barnstown Neighbourhood Plan be amended by redesignating Block "3" from "Residential-Single and Double" to "Residential-Attached Housing".
 - (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- (b) That the Planning and Development Department be requested to initiate a separate zoning amendment to rezone a remnant parcel of land from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to create uniform zoning across the rear of the lands fronting on Upper Wellington Street between Rymal Road East and Stone Church Road East, as shown on the attached map marked as APPENDIX "G".

NOTE: The purpose of the By-law is to provide for changes in zoning for the property located on the north side of Rymal Road East between Upper Wellington Street and Upper Wentworth Street, on the following basis:

Blocks "1" and "2" - Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

Block "3" - Change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse -Maisonette) District.

The effect of the By-law is to permit the development of the subject lands for single-family dwellings (Blocks "1" and "2") and townhouses (Block "3").

7. That Zoning Application 83-22, Rosart Properties Inc., owner, requesting a change in the Zoning and the Official Plan for lands on the north side of Rymal Road West, between Upper James Street and West 5th Street, as shown on the attached map marked as APPENDIX "H" be **APPROVED** on the following basis:

- (a) That APPROVAL be given to Official Plan Amendment No. 52 to redesignate the north-west third of the subject lands located on the north side of Rymal Road West between Upper James Street and West Fifth Street from "Residential" to "Commercial" and to delete the subject lands from Special Policy Area 22 on Schedule "B" and that the City Solicitor be directed to prepare a by-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.

- (b) That APPROVAL be given to Zoning Application 83-22, Rosart Properties Inc., owner, for a change in zoning for lands on the north side of Rymal Road West, between Upper James Street and West Fifth Street, as shown on the attached map marked as APPENDIX "H" on the following basis:

- (i) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "G-1" (Designed Shopping Centre) District;

- (ii) That the lands described as Block 2 be rezoned from "C" (Urban Protected Residential, etc.) District to "G-1" (Designed Shopping Centre) District;
- (iii) That the lands described as Block 3 be rezoned from "HH" (Restricted Community Shopping and Commercial, etc.) District to "G-1" (Designed Shopping Centre) District;
- (iv) That the "G-1" (Designed Shopping Centre) District regulations as contained in Section 13A of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special provisions:
 - 1. Notwithstanding Section 13A(1) of By-law No. 6593 the following residential use shall be permitted:
 - (a) Hotel.
 - 2. Notwithstanding Section 13A(4)(a) of By-law No. 6593 a minimum building setback of 24 m (80.0 ft.) shall be required adjacent to Upper James Street.
 - 3. That a 15.24 m (50.0 ft.) wide landscaped planting strip be provided and maintained along the entire westerly property line adjacent to West Fifth Street, and along the portion of northerly property line adjoining the residential property located at No. 1193 West Fifth Street.
 - 4. That vehicle access be prohibited along the entire westerly property line of the subject lands adjacent to West Fifth Street;
 - 5. That a 3.0 m (10.0 ft.) wide landscaped planting strip exclusive of the area required for an access driveway, be provided and maintained along the easterly property line adjacent to Upper James Street.
- (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1051, and that the subject lands on Zoning District Map W-9D be notated S-1051;
- (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9D;
- (vii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the Approval of Official Plan Amendment No. 52 by the Region of Hamilton-Wentworth.

NOTE: The purpose of the By-law is to provide for the following changes in zoning to permit a shopping complex containing:

- (a) a commercial mall having $24,321.12\text{m}^2$
(261,800 sq. ft.)
- (b) a 2-storey office building having $2,787\text{m}^2$
(30,000 sq. ft.)
- (c) two restaurants having a total of 966.16m^2
(10,400 sq. ft.)
- (d) a hotel.

Block 1 - Change in zoning from "AA"
(Agricultural) District to "G-1"
(Designed Shopping Centre)
District.

Block 2 - Change in zoning from "C" (Urban
Protected Residential, etc.)
District to "G-1" (Designed
Shopping Centre) District.

Block 3 - Change in zoning from "HH"
(Restricted Community Shopping and
Commercial) District to "G-1"
(Designed Shopping Centre)
District.

In addition, the By-law provides for the following
variances to the "G-1" (Designed Shopping Centre)
District regulations:

- (a) to permit a hotel which otherwise is not
permitted in a "G-1" (Designed Shopping
Centre) District (Section 13A(3));
- (b) to require a minimum building setback of 24 m
(80.0 ft.) from Upper James Street instead of
11.0 m (36.0 ft.) (Section 13A(4)(a));
- (c) to require a 15.24 m (50.0 ft.) wide
landscaped planting strip along the entire
westerly property line adjacent to West Fifth
Street, and along the portion of the northerly
property line adjoining the residential
property located at No. 11903 West Fifth
Street;
- (d) to prohibit vehicular access along the entire
westerly property line of the subject lands
adjacent to West Fifth Street;

- (e) to require a 3.0 m (10.0 ft.) wide landscaped planting strip exclusive of the area required for an access driveway along the easterly property line adjacent to Upper James Street.
8. For the information of the members of City Council, the Planning and Development Committee approved a total number of 15 members to the Task Force on Lot Grading, as well as appointing Alderman T. Murray to serve as the Task Force's Vice-Chairman.
9. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following residential buildings:
- (a) 473 Burlington Street East
 - (b) 3 Gerrard Street
 - (c) 5 Gerrard Street
 - (d) 7 Gerrard Street
 - (e) 9 Gerrard Street
 - (f) 10 Gerrard Street
 - (g) 11 Gerrard Street
 - (h) 12 Gerrard Street
 - (i) 24 Gerrard Street
 - (j) 29 Gerrard Street
 - (k) 391 Sherman Avenue North
 - (l) 403 Sherman Avenue North
10. That a loan increase in the amount of \$1 625. be approved for Milton and Annetta Brown, owners of a Second Level Lodging Home at 90 Emerald Street South.
- NOTE:** The total loan would now be \$18 448 under the Second Level Lodging Home Rehabilitation Programme.
11. That a Designated Property Grant in the amount of one thousand, eight hundred dollars (\$1 800) be provided to Mr. R. Grant, 250 James Street South.
12. That an Offer to Purchase the land of The Corporation of the City of Hamilton, being part of Lot 36, Plan M-227, Hamilton Industrial Park #1, located on Nebo Road, duly executed on October 13, 1987 by the Purchaser, 732303 Ontario Limited, and scheduled for closing on February 1, 1988, be approved and completed.

NOTE: The purchase price is \$51 000. A deposit cheque in the amount of \$5 100 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the eastern limit of Nebo Road, having a frontage of 100.016 feet by a depth of 444.81 feet/443.91 feet and containing an area of 1.02 acres.

It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% Real Estate Commission to Rivero Real Estate Limited, 1362 Main Street East, Hamilton, Ontario L8K 1B7, whose agent, Mr. Umberto Constabile acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto, and marked as APPENDIX "I".

13. That an Offer to Purchase the lands of The Corporation of the City of Hamilton being composed of part of Lot 3, Concession 7, Township of Barton, comprised of the northerly 283 feet of Part 8, Plan 62R-4187 and containing approximately 0.39 acres; duly executed on October 8, 1987 by the Purchaser, Carlo DelSordo, and scheduled for closing on April 12, 1988 be approved and completed.

NOTE: The purchase price is \$11 700. A deposit cheque in the amount of \$1 170 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of vacant land located north of the limit of Stone Church Road East, 60 feet by 283 feet and containing an area of 0.39 acres.

The closing of this transaction is conditional upon the simultaneous completion of the transaction between Carlo DelSordo and the Regional Municipality of Hamilton-Wentworth concerning the sale of Part of Lot 3, Concession 7, Township of Barton, comprised of the land 170 feet frontage by 283 feet depth immediately to the east of the northerly 283 feet of Part 8, Plan 62R-4187 - subject to survey.

The greater part of the land being purchased is from the Regional Municipality of Hamilton-Wentworth, therefore, the special building covenants, agreements and restrictions have been processed with the Regional transaction.

14. That leave be granted to introduce the following bills:

- (a) Bill D-126 A By-law to Amend Zoning By-law No. 6593 Respecting Adult Entertainment Parlours.
- (b) Bill D-127 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 122-124 Young Street.

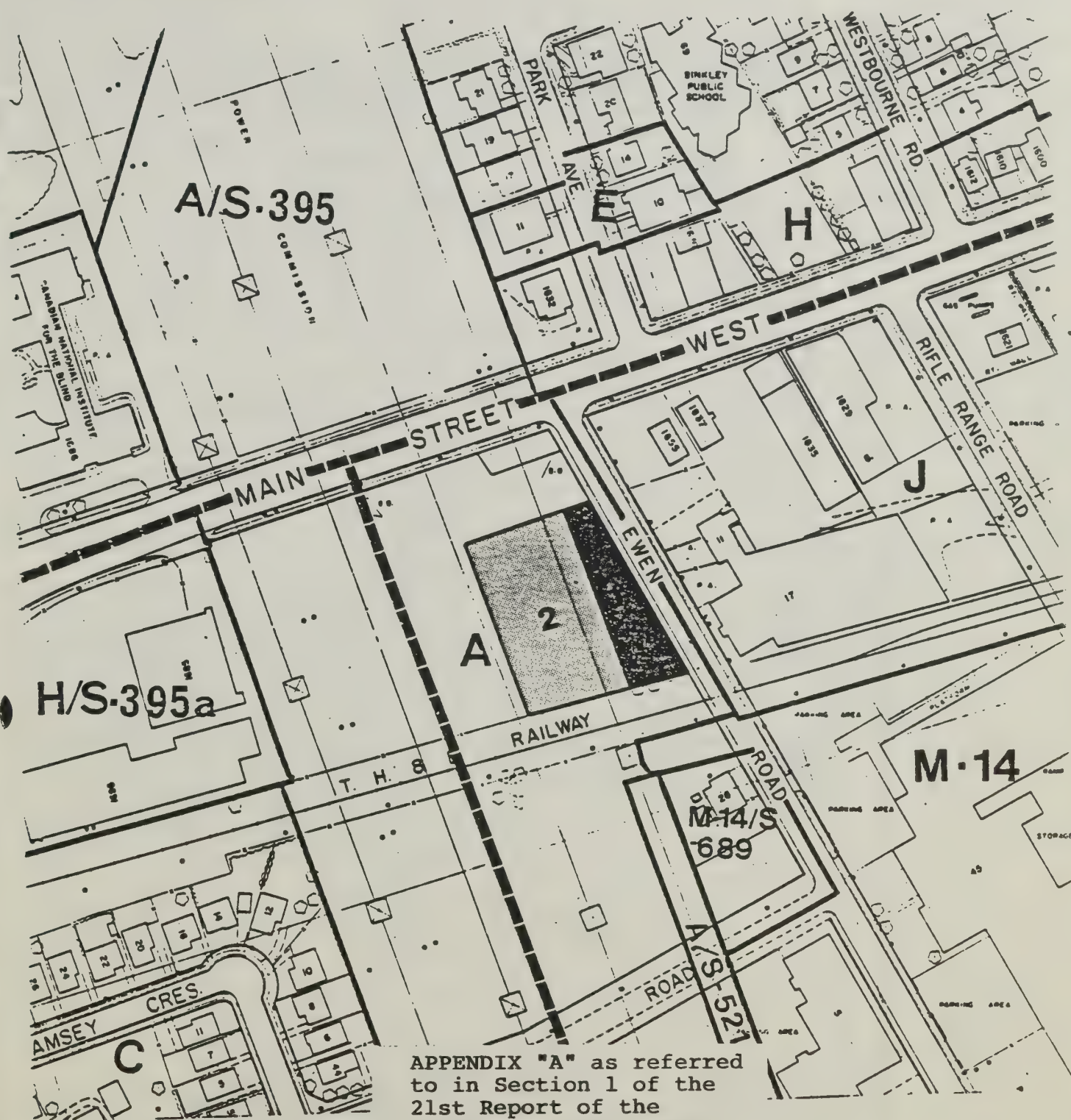
- (c) Bill D-128 By-law to Establish A Board of Management for The Barton East #1 Improvement Area Designated by By-law No. 87-178.
- (d) Bill D-130 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 467 Charlton Avenue East.
- (f) Bill D-131 By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 467 Charlton Avenue East.
- (g) Bill D-132 By-law to Authorize Demolition and Clearing of Buildings, Structures, Debris or Refuse at 10 Robins Avenue.
- (h) Bill D-133 By-law Respecting The Chief Building Official and Inspectors Appointed Under The Building Code Act.
- (i) Bill D-134 By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the North Side of Stone Church Road East, in the Area East of Upper Sherman Avenue, Municipally Known as No. 763 Stone Church Road East.
- (j) Bill D-135 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1324 Upper Sherman Avenue.
- (k) Bill D-136 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 137 Queen Street North.
- (l) Bill D-137 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of the Proposed Extension of Greenhill Avenue, North of the T.H.&B. Railway Tracks.
- (m) Bill D-138 By-law to Amend Downtown Promenade Business Improvement Area Designation by By-law No. 82-151.
- (n) Bill D-139 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1275 Rymal Road East.
- (o) Bill D-140 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 126 Queenston Road.
- (p) Bill D-141 By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 126 Queenston Road.
- (q) Bill D-142 By-law to Adopt Official Plan Amendment No. 52 Respecting Lands Located on the North Side of Rymal Road West, Between Upper James Street and West 5th Street.

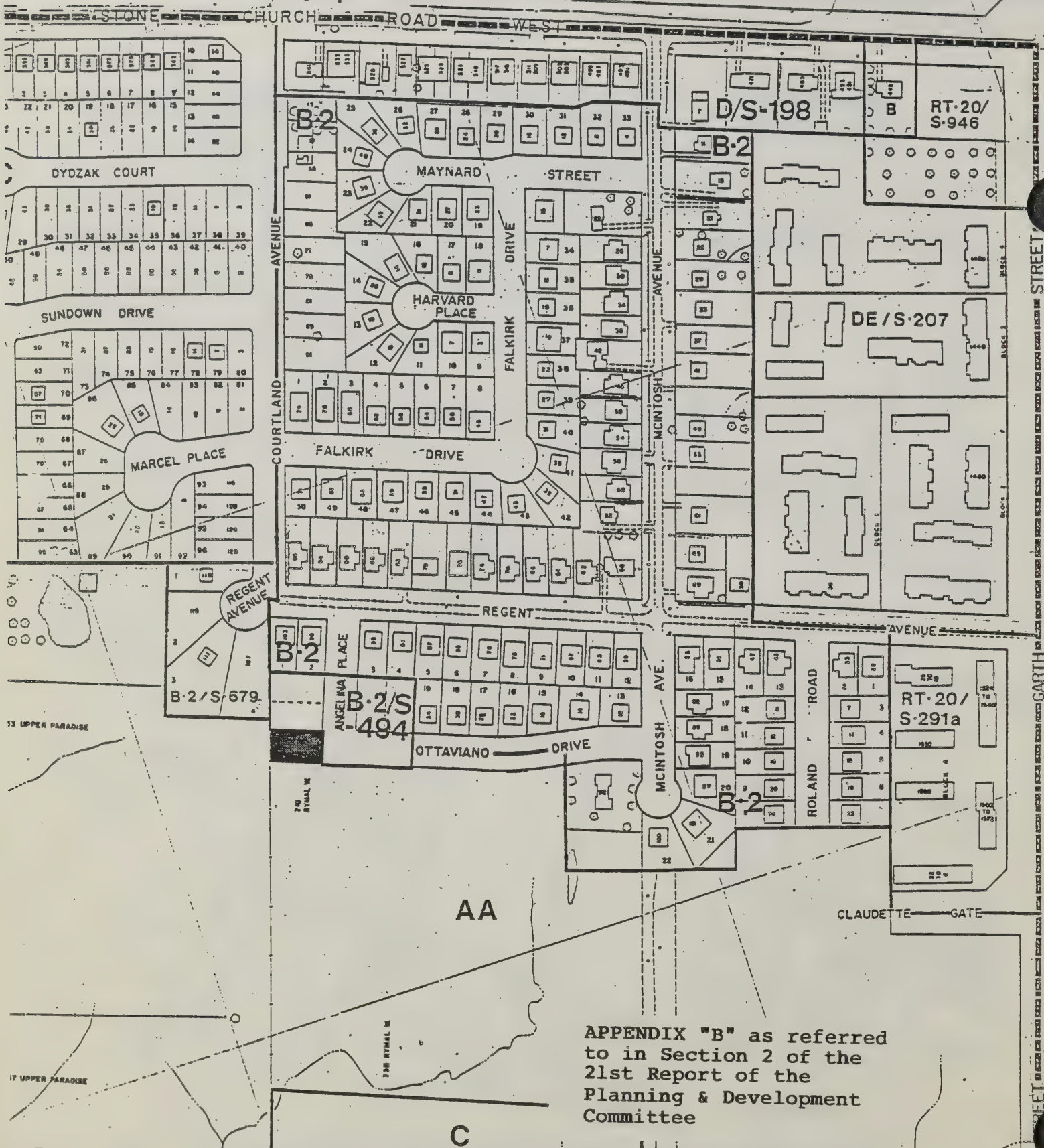
- (r) Bill D-143 By-law to Amend Zoning By-law No. 6593 Respecting
Lands Located on the South Side of Stone Church Road
East, in the Area East of Upper Wellington Street.

Respectfully submitted,

S. K. Reeder, Acting Secretary
Planning and Development Committee
1987 October 28

ALDERMAN J. SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

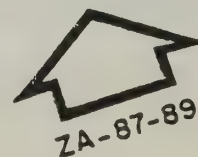




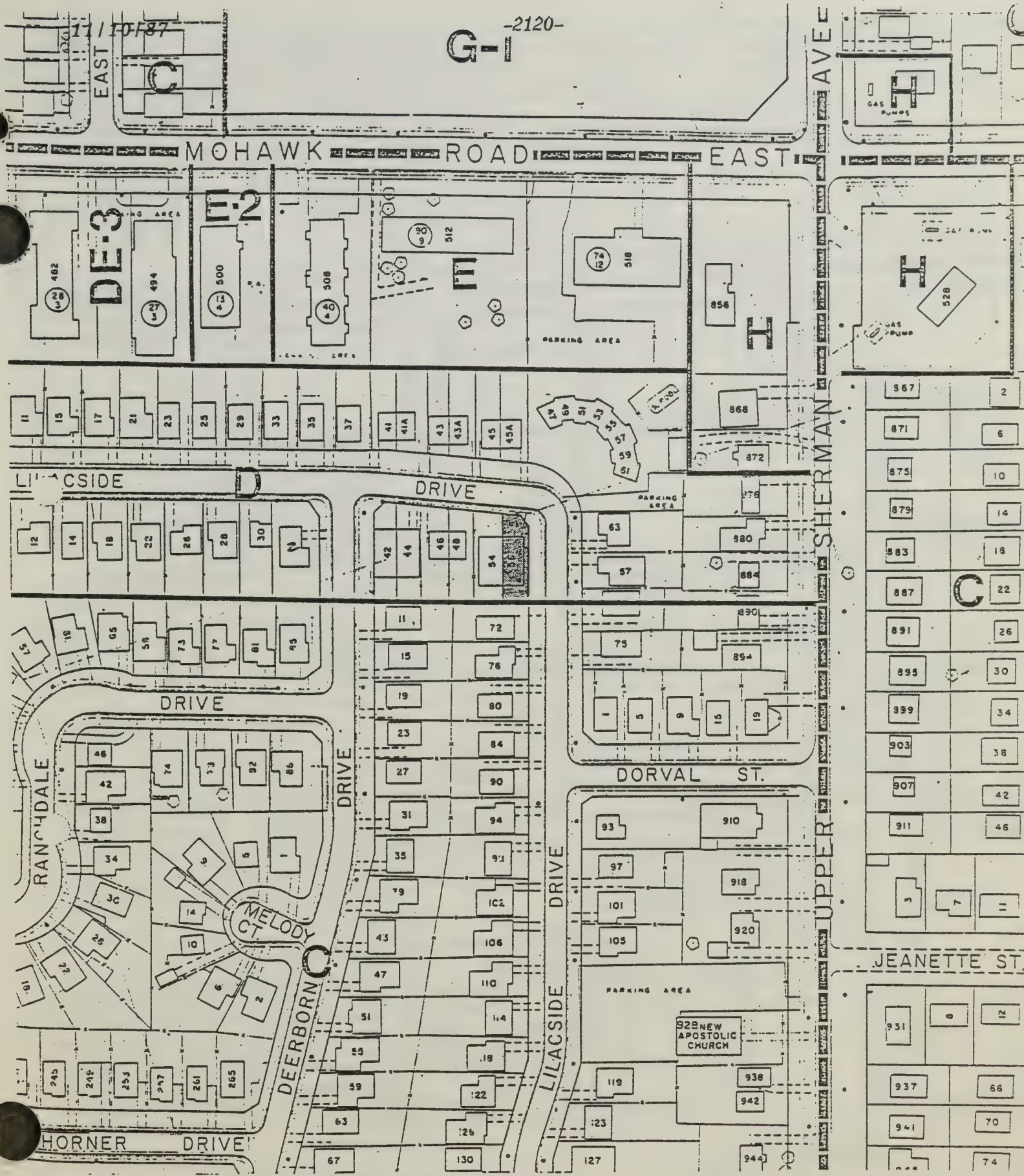
LEGEND



SITE OF THE APPLICATION



APPENDIX A

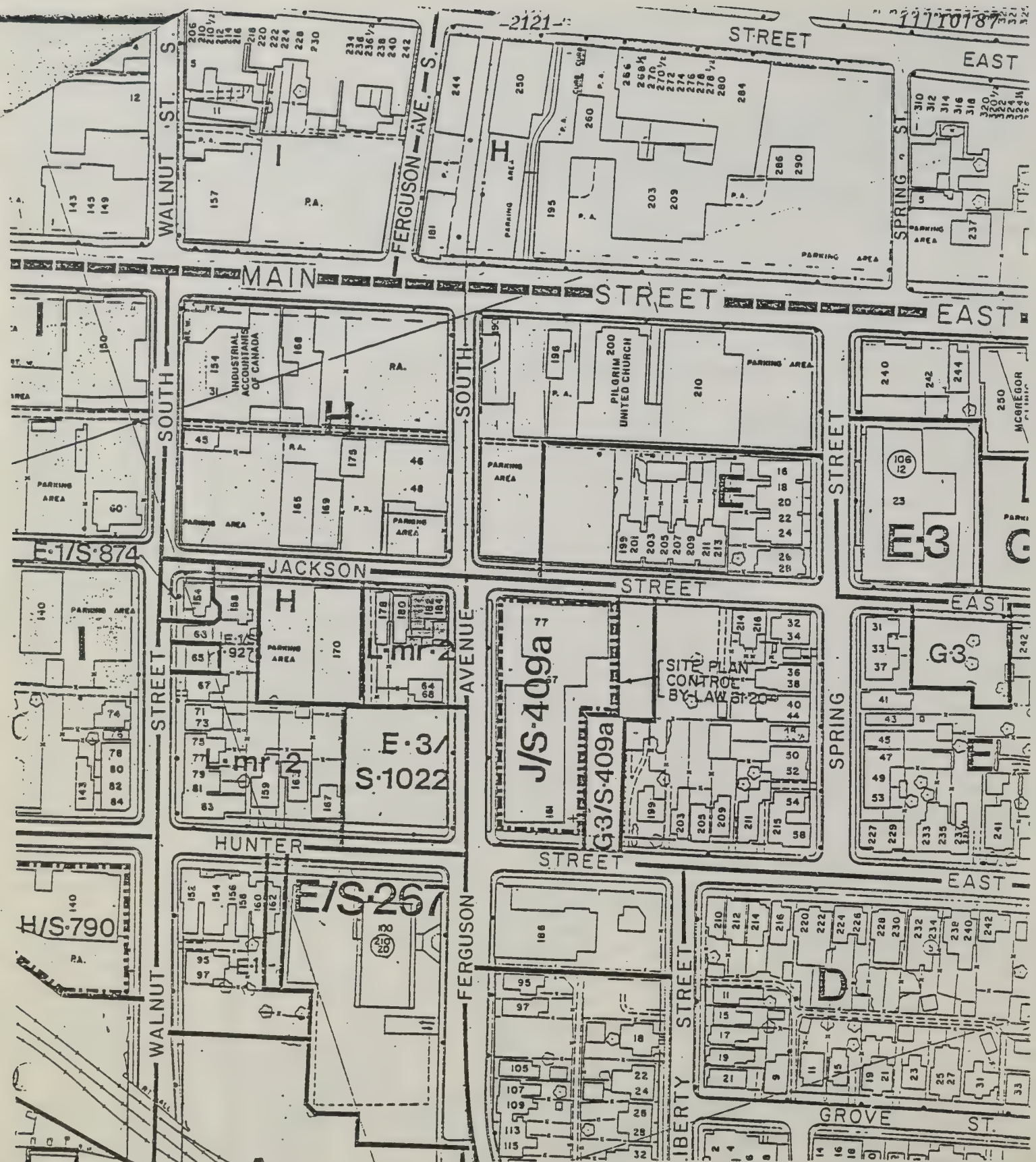


LEGEND



SITE OF THE APPLICATION

APPENDIX "C" as referred to in Section 3 of the 21st Report of the Planning & Development Committee



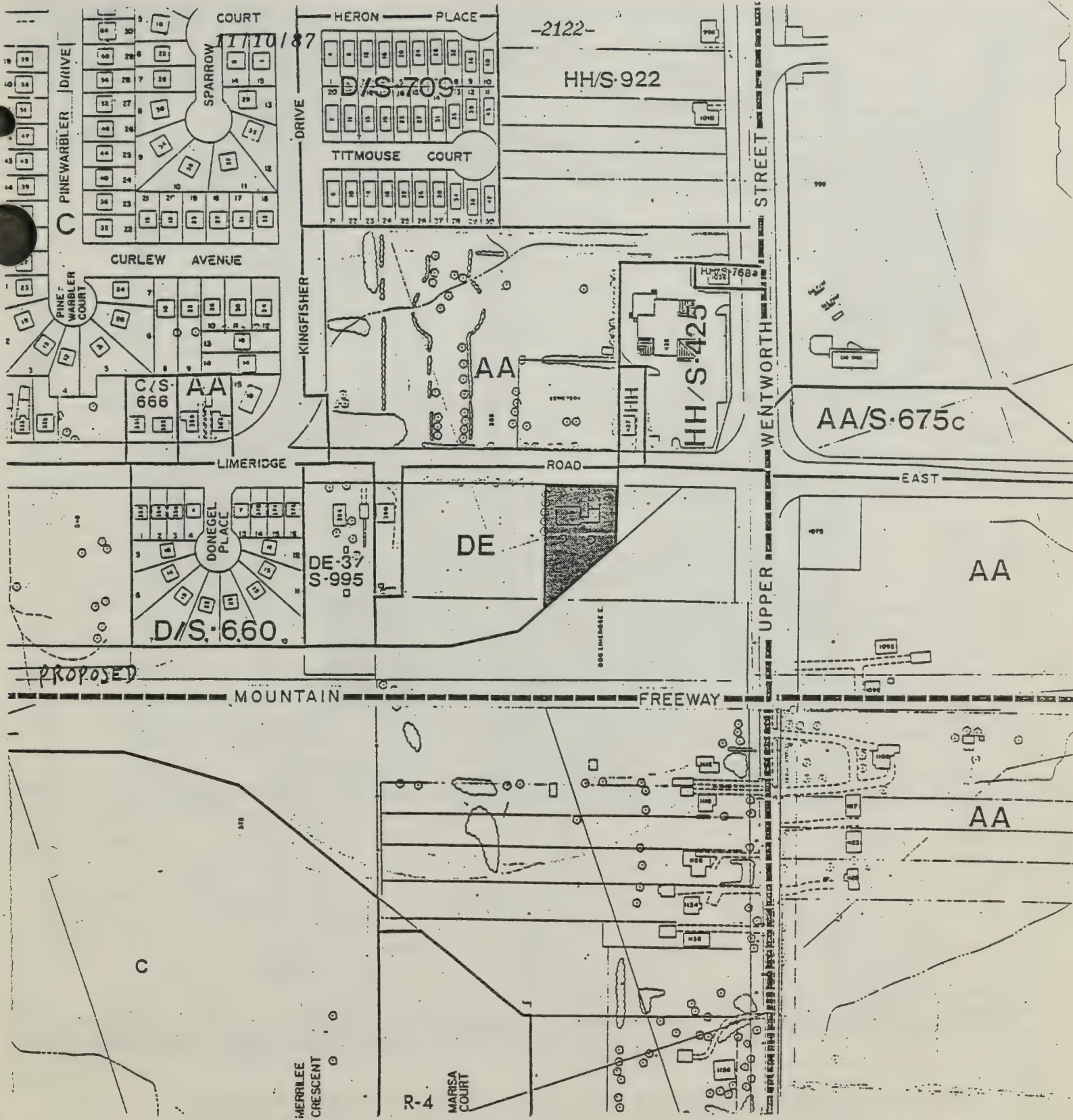
LEGEND



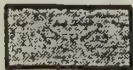
SITE OF APPLICATION

APPENDIX "D" as referred to in Section 4 of the 21st Report of the Planning & Development Committee

APPENDIX A

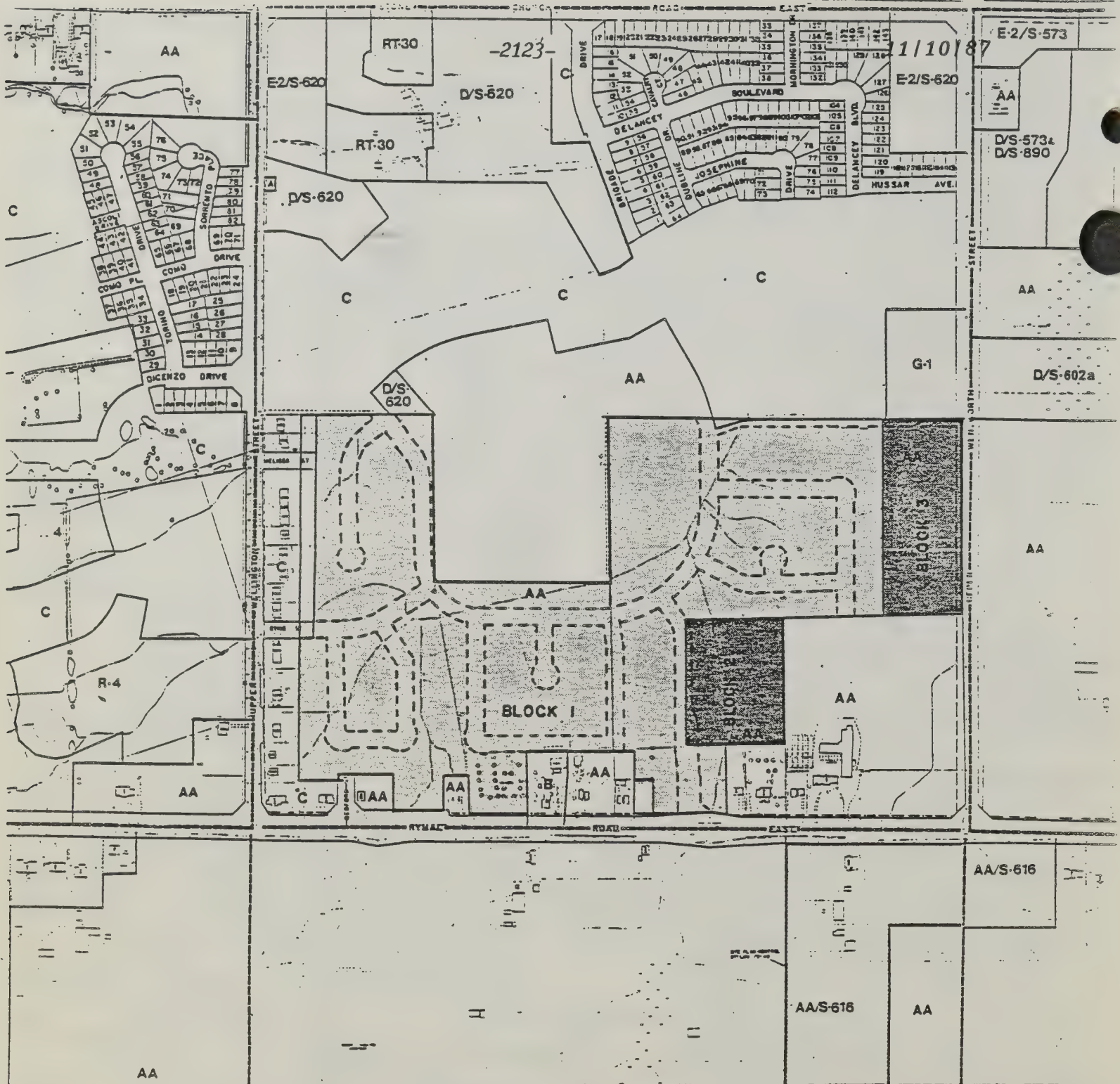


LEGEND



SITE OF THE APPLICATION

APPENDIX "E" as referred
to in Section 5 of the
21st Report of the
Planning & Development
Committee

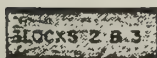


LEGEND

LANDS FOR WHICH THE FOLLOWING CHANGE IN ZONING IS PROPOSED:



FROM "AA" (AGRICULTURAL) DISTRICT TO
"C" (URBAN PROTECTED RESIDENTIAL, ETC)
DISTRICT.



FROM "AA" (AGRICULTURAL) DISTRICT TO
"E-2" (MULTIPLE DWELLINGS) DISTRICT.

APPENDIX "F" as referred
to in Section 6 of the
21st Report of the
Planning & Development
Committee

11/10/87

-2124-

RT-30

E2/S-620

D/S-620

RT-30

p/s-620

AA

C

C

AA

D/S-620

AA

WELLINGTON STREET

UPPER

WELLINGTON STREET

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WELLINGTON STREET

LEGEND



Lands to be rezoned under City Initiative

CITY OF HAMILTON

RYCKMANS

APPENDIX "G" as referred
to in Section 6 of the
21st Report of the
Planning & Development
Committee

APPENDIX "I" as referred
to in Section 12 of the
21st Report of the
Planning & Development
Committee

OFFER TO PURCHASE

I/We **732303 ONTARIO LIMITED** of the City of Hamilton
in the Regional Municipality of Hamilton-Wentworth hereinafter called the Purchaser,
hereby agree to and with **THE CORPORATION OF THE CITY OF HAMILTON**,
hereinafter called the Vendor,

to purchase all and singular that certain parcel or tract of land and premises
situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth
and being composed of part of Lot 36, Plan M-227, more particularly described as
Part 2, Plan 62R-8631, said parcel having a frontage of 30.485 m (100.016 feet)
along the eastern limit of Nebo Road, by a depth of 135.578m/135.304 m (444.81 feet/
443.91 feet) and containing an area of 1.02 acres, as shown in heavy outline on the
attached plan.

at the price of FIFTY-ONE THOUSAND DOLLARS (\$ 51,000.00) of lawful money of Canada, payable as follows:-

- (a) A deposit of FIVE THOUSAND, ONE HUNDRED DOLLARS (\$ 5,100.00) by certified cheque payable to the Vendor.
- (b) The balance of the purchase price namely FORTY-FIVE THOUSAND, NINE HUNDRED DOLLARS (\$ 45,900.00) with interest as hereinafter provided, and subject to adjustments, by certified cheque on the closing of this transaction.

Provided that this Offer to Purchase is subject to the following conditions:-

1. This Offer shall be irrevocable by the Purchaser and may be accepted by the Vendor up to but not after the 17th day of November 1987, by a letter mailed or delivered to the Purchaser at c/o Mr. Ivan Marini, Barrister & Solicitor, 105 Main Street East, Suite 507, Hamilton, Ontario, L8N 1G6
2. In the event that this Offer is not accepted, this Offer and everything herein contained shall be null and void and no longer binding upon any of the parties hereto and the deposit shall be returned by the Vendor without interest and the Vendor shall not be liable for any damages or costs.
3. In the event of and upon the acceptance of this Offer, this Offer and the letter of acceptance shall be a binding contract of purchase and sale and shall be completed in accordance with the terms hereof.
4. The title is good and free from all encumbrance, except as to any registered restrictions or covenants.
5. The Purchaser is not to call for the production of any title deeds, abstract or evidence of title except such as are in the possession of the Vendor.
6. The Purchaser is to be allowed thirty days from the date of acceptance of such Offer to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor, or its Solicitor, which the Vendor shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the Vendor without interest and it shall not be liable for any damages or costs. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the Vendor to the real property.

- 1(a) -

6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

- 1. That the transferee shall commence construction of a building, having a minimum building area of 8,500 square feet, upon the hereinbefore described land by not later than August 1st, 1988.

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

- 2. That the transferee shall complete construction of the said building by not later than August 1st, 1989.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

- 3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Continued.....1(b)

- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

7. This transaction shall be closed on or before the 1st day of February 1988
8. On the closing of this transaction, the Vendor will convey the said lands to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of dower rights and all encumbrances, except as to any registered restrictions or covenants, and shall deliver vacant possession of the said lands to the Purchaser free of all tenancies.
9. The Purchaser shall assume taxes, local improvements, water and sewer rates from the date set out in paragraph 7 hereof.
10. Pending completion of this transaction, the Vendor will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the Purchaser may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Offer whether accepted or not and have all monies theretofore paid returned without interest.
11. The deed or transfer is to be prepared at the expense of the Vendor. If the Vendor is a Trustee the deed or transfer is to contain trustee covenants only.
12. This agreement and its acceptance is to be read with all changes of gender or number required by the context.
13. In the event of failure of the Purchaser to complete this transaction by the date set out in paragraph 7 hereof, the deposit shall be forfeited to the Vendor as liquidated damages, in addition to any other right or remedy to which the Vendor may be entitled hereunder.
14. Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.
15. It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.
16. It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% Real Estate Commission to Riverso Real Estate Limited, 1362 Main Street East, Hamilton, Ontario, L8K 1B7, whose agent Mr. Umberto Costabile acted in this matter.

Time shall be of the essence of this Agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the Vendor, its successors and assigns.

DATED at Hamilton this 17 day of October 1987

SIGNED, SEALED AND DELIVERED)

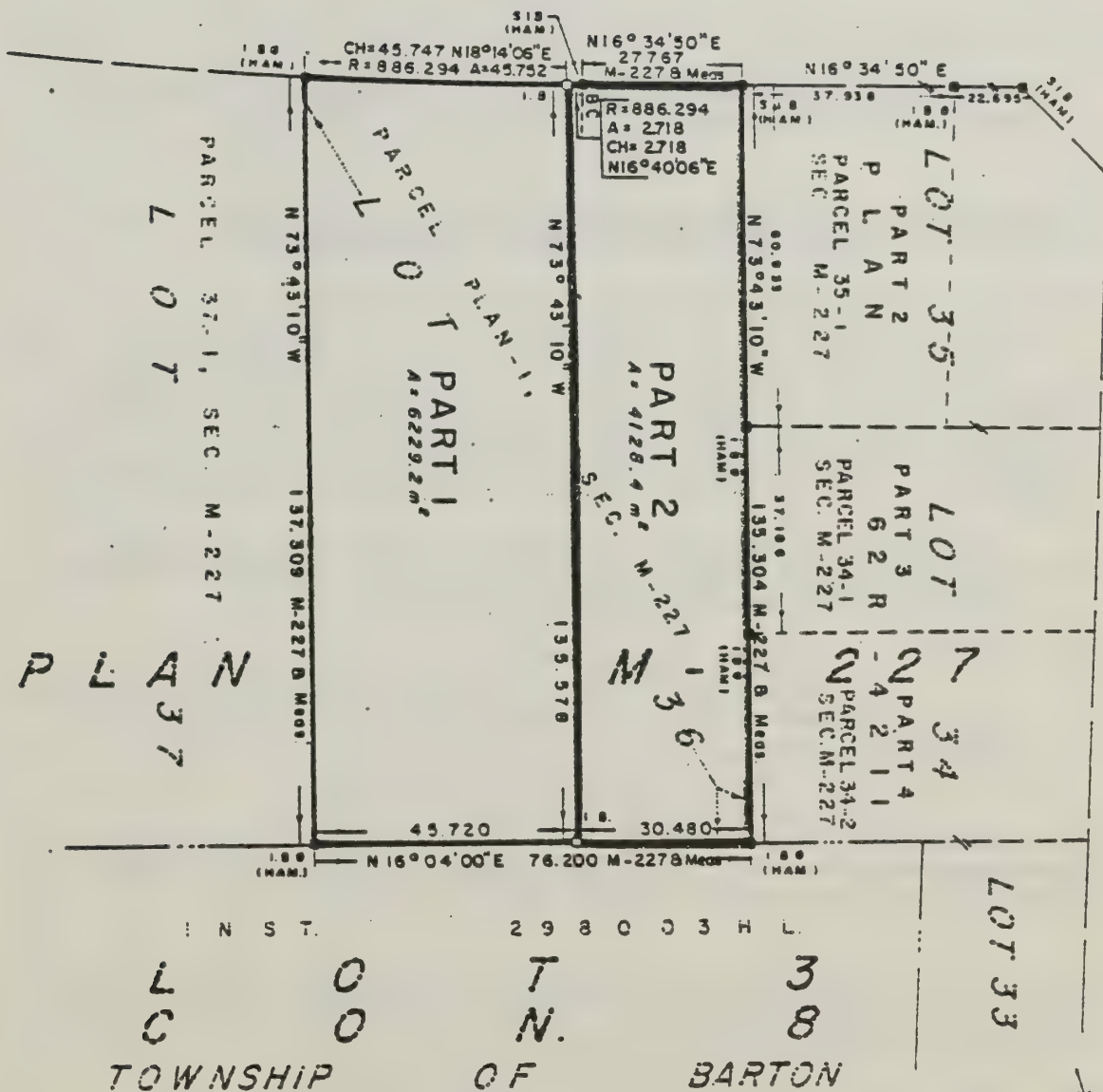
in the presence of) 732303 ONTARIO LIMITED (Seal)
) PER: [Signature] (Seal)
) SERGIO LAURETANI, President (Seal)
) _____ (Seal)

Name of Purchaser's Solicitor Mr. J. Ivan Marini, Barrister & Solicitor

Address of Purchaser's Solicitor 105 Main Street East, Hamilton, Ontario,
(Suite 507) L8N 1G6 (528-7534)

NEBO

ROAD



M.A.C.
M. A. CHIDLEY
REGIONAL SURVEY
PARTS 102 - PART OF
SECTION

PLAN OF SURVEY
OF
LOT 36
PLAN M - 227
IN THE
CITY OF HAMILTON
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH
SCALE = 1:1000
10m 0 10 20 50m
M. A. CHIDLEY - O.L.S.
1987

BEARINGS HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE EAST LIMIT OF NEBO ROCK ON A COURSE OF N16°34'50" E AS SHOWN PLAN M-227.

LEGEND

	DENOTES	PLANTED
✕	"	FOUND
S.I.B.	"	STANDARD IRON BAR
I.B.B.	"	ROUND IRON BAR
I.B.	"	IRON BAR
(HAM)	"	CITY OF HAMILTON

REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its SEVENTEENTH Report for 1987 and respectfully recommends:

1. That approval be given to the Latvian Society of Hamilton to fly the Latvian flag outside of City Hall from 1987 November 18-21.

Note: This time period recognizes Latvia's Independence Day.

2. That permission be granted to Cable 14 to use the City Hall Council Chambers on Thursday, 1987 November 12th from 4:00 p.m. to 10:00 p.m. for the purpose of holding a Candidates Debate for the Ward 5 Aldermanic and Ward 3 Board of Education By-Election on the following basis:

- (a) That the use of the City Hall Council Chambers be NOT viewed as precedent setting for future requests; and
- (b) That no cost to the City be incurred for this event; and
- (c) That arrangements for this event be subject to the approval of the City Clerk.

3. That the wording for an official dedication plaque for the new Hamilton Fire Department Station #5 located at Limeridge and Ottawa Streets, as attached hereto and marked APPENDIX "A", be approved.

- * 4. That Licencing By-law 79-322, Schedule 4, as amended by By-law 86-344, be further amended to permit two additional taxicab owner's licences to be issued for 1988 to the following:

- (a) Mr. Stewart McCollum, 82 Taylor Avenue, Cambridge, Ontario
- (b) Mr. Joseph Vanderheyden, 12 Kenilworth Avenue North, Apt. 200, Hamilton, Ontario

Note: The Licence By-law was amended in 1986 to permit 12 new taxicab owner's licences in 1987 and three in each of the years 1988 through 1990. As individuals for new taxicab owner plates from the priority list beyond these two applicants have been selected, it has been strongly recommended that the Taxi By-law be amended to create two

* Recorded Vote, see page 2081

additional licences. The result of the creation of these two licences will alleviate concern about the three applicants who now have first priority for taxi licences as they will still receive their licences for 1988, for which they are entitled. This will result in a total of 5 licences being issued, however, there will be no noticeable impact on the taxi industry with the issuance of these additional licences.

Bill E-25 - Taxicab Owners' Licences is being presented concurrently with the above-noted resolution.

- * 5. (a) That the Smoking Control Programme, which is scheduled to expire on 1987 November 20th, be extended to 1988 February 1st, at a total cost of \$7 550.
- (b) That this cost of \$7 550 be financed from existing 1987 revenues for salary and benefits to 1988 February 1st.

Note: The above-noted extension for the position of Smoking Control Officer will serve to keep it in existence until such time as budget and programme evaluations take place.

6. That leave be granted to introduce the following bills:

- (a) Bill E-22 A By-law to Define areas of the City in which Adult Entertainment Parlours may and may not operate and to limit the number of licences in the areas.
- (b) Bill E-23 A By-law to Amend Market By-law No. 81-180 Respecting Fees.
- (c) Bill E-24 A By-law to Amend Licencing By-law No. 79-323 respecting Building Exterior Cleaners.
- (d) Bill E-25 A By-law to Amend Licensing By-law No. 79-323 Respecting Additional Taxi Licences.

- ** 7. That the request of United Way to use City Hall facilities from 6:00 p.m. to 9:00 p.m. on Wednesday, 1987 November 18th by setting up approximately 50 telephones for a community wide telephone blitz be approved.

NOTE: United Way is hoping to have as many homes as possible called in an attempt to reach the 3 out of 5 people who are not asked to support the United Way.

* Recorded Vote, see page 2081

** Section 7 added during Council

11/10/87

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Susan K. Reeder
Secretary
1987 November 2

HAMILTON FIRE DEPARTMENT STATION#5

APPENDIX "A" as referred
to in Section 3 of the
17th Report of the
Legislation Committee

11/10/87

OFFICIALLY OPENED (UNDETERMINED AT PRESENT)

HAMILTON CITY COUNCIL 1986-1987-1988

ROBERT M. MORROW, MAYOR

-2134-

WARD#1 ALDERMAN T. COOKE

ALDERMAN M. KISS

WARD#5 ALDERMAN R. WHEELER

ALDERMAN UNDETERMINED

WARD#2 ALDERMAN V. J. AGRO

WARD#6 ALDERMAN J. SMITH

ALDERMAN W. M. McCULLOCH

ALDERMAN P. COWELL

WARD#3 ALDERMAN P. VALERIANO

WARD#7 ALDERMAN J. GALLAGHER

ALDERMAN B. HINKLEY

ALDERMAN H. MERLING

WARD#4 ALDERMAN G. COPPS

WARD#8 ALDERMAN T. MURRAY

ALDERMAN D. CHRISTOPHERSON

ALDERMAN D. ROSS

LEONARD G. SALT MARSH, CHIEF

JOHN F. FITZPATRICK, DEPUTY CHIEF

VICTOR P. PALA

ARCHITECT LIMITED

G. S. WARK CONSTRUCTION LIMITED, GENERAL CONTRACTOR

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its NINETEENTH Report for 1987 and respectfully recommends:

1. That the Mayor and City Clerk be authorized to execute, in a form satisfactory to the City Solicitor, the documents necessary to quit claim the City's right, title and interest in the property municipally known as No. 1196 Rymal Road East, pursuant to the Tax Arrears Certificate registered on April 25, 1975 as Instrument No. 371095 A.B.

Note: All of the taxes owing pursuant to the said Tax Arrears Certificate were paid however, the Redemption Certificate, removing the Tax Arrears Certificate from title to the property was inadvertently registered in the name of Lancaster Sheet Metal Limited instead of the owners, Robert Earl Graham and Lorne Alfred Hubber.

2. That the following overdraft, funded within the Systems Division be approved.

<u>FUNDING SOURCE</u>	<u>ACCOUNT RECEIVING OVERDRAFT APPROVAL</u>	<u>AMOUNT</u>
0323-23-01 Salaries Programming	0323-30-01 Salaries Microfilm	\$6 800.

Note: No additional funds are being requested.

3. (a) That the Treasurer be authorized to proceed with the implementation of the Financial Information System for use by the City and Region (including the H.S.R.) effective January 1, 1989.

Note: This project will demand a commitment of time, in varying degrees, by many of the senior Finance Division staff over the next fourteen months and consequently stretch both human and financial resources to the limit. Every effort will be made however, to absorb within Treasury's normal budget estimates, any additional resources required.

- (b) That the required additional MSA software (on-line and real-time modules) for General Ledger, Budgetary control, Accounts Payable and Purchasing, installation support and staff training be acquired at a cost of \$187 600. to be financed as follows:

\$100 000. from Capital Account No. 0408-X75281 (Software)

\$ 87 600. from Current Account No. 0323-2589 (Software leasing)

Notes: Funds are provided for in the 1987 budget. No additional funding is being requested.

The software modules compliment current MSA software modules and therefore MSA is the only supplier.

- (c) That Regional Council be requested to give consideration to reconsidering the recommendation (tabled at its October 20, 1987 meeting) to authorize Regional staff to proceed with implementation of the MSA Financial Information System for the Region.
- (d) That the funding amounts (as in (b) above) be correspondingly reduced depending on the approval, by Regional Council of a regional contribution to the funding of the above modules.

Note: Regional Council approval and funding would be highly desirable. Should this not occur, the City could not proceed within the project implementation timing constraints and the Financial Information System would be delayed until the next fiscal year (January 1, 1990). Therefore, it is recommended that approval not be subject to Regional Council approval.

- (e) That the current MSA agreement be revised to account for the additional modules and that the agreement be in a form satisfactory to the City Solicitor.

4. (a) That a 4.5% increase in the 1988 budget expenditures and taxation be submitted by Department Heads and Local Board Managers to Standing Committees for review and to approve the Estimates for consideration by City Council.
- (b) That the recommendations of Standing Committees as to whether to change service levels and the appropriate Estimates be submitted to special meetings of City Council in January 1988 in order to work towards the mill rate for the City.

11/10/87

5. That City Council extend an invitation to the Board of Education to meet with the Finance Committee at its next regular meeting on November 17, 1987 to discuss the City's intention of limiting the 1988 mill rate increase to a maximum of 4.5% over 1987.
6. Members of City Council are advised that the Finance Committee will be scheduling another special meeting with Department Heads and all Members of City Council in the latter part of November to discuss and identify funding priorities for the 1988 budget.

Respectfully Submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN
FINANCE COMMITTEE

John Thompson, Acting Secretary
October 30, 1987
mjlw

THURSDAY, NOVEMBER 19, 1987

12:00 O'CLOCK NOON

COUNCIL CHAMBER

CLERK'S CERTIFICATE

I, Edward A. Simpson, Clerk of the City of Hamilton, do hereby certify that, at the By-Election held on the 17th day of November, 1987 to fill the vacancy in the Aldermanic seat in Ward 5, Mr. Dominic Agostino was elected by a majority of the votes cast.

I, Edward A. Simpson, Clerk of the City of Hamilton, do hereby certify that, at the By-Election held on the 17th day of November, 1987 to fill the vacancy in the Public School Trustee seat in Ward 3, Mr. Bert Allen was elected by a majority of the votes cast.

E. A. SIMPSON
City Clerk

11/24/87

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, NOVEMBER 24, 1987
7:30 O'CLOCK, P.M.

The Council met.

Alderman-Elect D. Agostino subscribed to the Declaration of Office and took the Oath of Allegiance before His Honour Judge N. Borkovich.

Alderman Agostino was welcomed to the Council by His Worship the Mayor and took his proper seat.

NOTE: Alderman Agostino was elected to fill the vacancy created by the resignation of Alderman Shirley Collins who was elected to the Provincial Legislature at the recently held Provincial Election.

* * * * *

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps,
Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher,
Merling, Murray, Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

Father Harvey Roach led the Council in prayer.

Civic awards were presented to the following:

(a) Winners in the 1986 Canadian Special Olympics.

Merit and Service Awards of the Ontario Parks Association were presented to Mr. J. Pook and Mr. R. Nutley, Parks Division of the Public Works Department.

The minutes of the special meeting of November 5, 1987 and the regular meeting of November 10, 1987, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter of appreciation from Major Edward Pearce, Public Relations Director, The Salvation Army, for collection of toys and canned goods on behalf of the residents of Hamilton who are assisted by The Salvation Army over the Christmas Season, dated November 5, 1987. NOTED.
2. Application from Aram Simon Malek, 480 Upper Ottawa Street, Hamilton, Ontario, for a modification to the "H" District Regulations for property located at 1046 Barton St. East, dated November 13, 1987.
3. Application from Rodosa Development Corporation, 238 Gracefield Avenue, North York, Ontario, for a modification to the "HH" District regulations for property located at the north-west corner of Rymal Road East and Rockland Avenue, dated November 18, 1987.

4. Application from Lina Zippolli, 270 Sanford Ave. North, Hamilton, Ontario, for a modification to the "L-mr2" District Regulations for property located at 577 York Street, dated November 18, 1987.
5. Petition filed by Alderman D. Christopherson on behalf of residents in the Normanhurst Neighbourhood to ban "K" Zoning in that neighbourhood.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following reports, with Alderman Ross in the chair.

* * * * *

(A) EXECUTIVE COMMITTEE - TWENTY-SECOND REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Wheeler. - 1. CARRIED.

* * * * *

EXECUTIVE COMMITTEE - TWENTY-THIRD REPORT.

Recorded vote on the Twenty-Third Report.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 12.

NAYS: Aldermen Copps, Merling. - 2. CARRIED.

* * * * *

(B) TRANSPORT & ENVIRONMENT COMMITTEE - SEVENTEENTH REPORT.

* * * * *

(C) PARKS & RECREATION COMMITTEE - TWENTY-FIRST REPORT.

It was moved by Alderman Murray and seconded by Alderman McCulloch.

RESOLVED: that Section 3 be referred back.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

(D) PLANNING & DEVELOPMENT COMMITTEE - TWENTY-SECOND REPORT.

It was moved by Alderman Cooke and seconded by Alderman Smith.

RESOLVED: that the following be added to Section 24 as Subsection (h):

"(h) Bill D-129 By-law to amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1088 Main Street West." -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Merling, Murray, Ross. - 12.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

PLANNING & DEVELOPMENT COMMITTEE - NINETEENTH REPORT.

It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED: that Section 5 respecting Zoning Application 87-61 for property at 234 Queen Street South, which was DEFEATED by City Council at its meeting held Tuesday, October 13, 1987, reading as follows:

"5. That APPROVAL be given to Zoning Application 87-61, Ritlyn Investments Limited, owner, requesting a further modification to the established 'D' (Urban Protected Residential-- One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as APPENDIX 'E' on the following basis:

- (a) That the 'D' (Urban Protected Residential-- One and Two-Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 86-251, passed by City Council on August 26, 1986, applicable to the subject property, be further amended to include the following variance as special requirements:
 - (i) That notwithstanding the provisions of Section 10.(1) of By-law No. 6593, the following additional commercial uses shall be permitted within the existing building:
 - 1. Retail variety and grocery store;
 - 2. Flower shop; and
 - 3. Drug store.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-973A, and that the subject lands on Zoning District Map W-14 be notated S-973A;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14; and
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a further modification to the established 'D' (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as APPENDIX 'E'. The effect of the By-law is to permit in addition to a dry cleaning pickup service use within the existing building, the following commercial uses:

- (a) Retail variety and grocery store;
- (b) Flower shop;
- (c) Drug store."

be now reconsidered. - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman McCulloch:

RESOLVED: that Section 5 respecting Zoning Application 87-61 for property at 234 Queen Street South be replaced by the following:

"5. That APPROVAL be given to Zoning Application 87-61, Ritlyn Investments Limited, owner, requesting a further modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as APPENDIX 'E' on the following basis:

- (a) That the 'D' (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 86-251, passed by City Council on 1986, August 26, applicable to the subject property, be further amended to include the following variance as special requirements;
 - (i) That notwithstanding the provisions of Section 10(1) of By-law No. 6593, the following additional commercial use shall be permitted within the existing building:
 - 1. a stationery supply store;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-973A, and that the subject lands on Zoning District Map W-14 be notated S-973A;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14; and
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a further modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as APPENDIX 'E'. The effect of the By-law is to permit in addition to a dry cleaning pickup service use within the existing building, the following commercial use:

- (a) A stationery supply store." - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED: that Section 5 respecting Zoning Application 87-61 for property at 234 Queen Street South be adopted as reworded. - CARRIED.

* * * * *

PLANNING & DEVELOPMENT COMMITTEE - TWENTY-FIRST REPORT.

It was moved by Alderman Merling and seconded by Alderman Gallagher.

RESOLVED: that Section 6, adopted by City Council at its meeting held Tuesday, 1987 November 10th, respecting Zoning Application 87-80 for property located on the north side of Rymal Road East, between Upper Wellington Street and Upper Wentworth Street, reading as follows:

- "6. (a) That APPROVAL be given to an amended Zoning Application 87-80, 428680 Ontario Ltd. (Herbert Schreiber), owner, requesting changes in zoning from 'AA' (Agricultural) District to 'C' (Urban Protected Residential, etc.) District and 'RT-20' (Townhouse-Maisonette) District, to permit the development of the subject lands for single-family dwellings and townhouses, for the property located on the north side of Rymal Road East, between Upper Wellington Street and Upper Wentworth Street, as shown on the attached map marked as APPENDIX 'F', on the following basis:
- (i) That the lands shown as Blocks '1' and '2' be rezoned from 'AA' (Agricultural) District to 'C' (Urban Protected Residential, etc.) District.
 - (ii) That the lands shown as Block '3' be rezoned from 'AA' (Agricultural) District to 'RT-20' (Townhouse-Maisonette) District.
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18D;
 - (iv) That the approved Barnstown Neighbourhood Plan be amended by redesignating Block '3' from 'Residential-Single and Double' to 'Residential-Attached Housing'.
 - (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- (b) That the Planning and Development Department be requested to initiate a separate zoning amendment to rezone a remnant parcel of land from 'AA' (Agricultural) District to 'C' (Urban Protected Residential, etc.) District to create uniform zoning across the rear of the lands fronting on Upper Wentworth Street between Rymal Road East and Stone Church Road East, as shown on the attached map marked as APPENDIX 'G'.

NOTE: The purpose of the By-law is to provide for changes in zoning for the property located on the north side of Rymal Road East between Upper Wellington Street and Upper Wentworth Street, on the following basis:

Blocks '1' and '2' - Change in zoning from 'AA' (Agricultural) District to 'c' (Urban Protected Residential, etc.) District; and

Block '3' - Change in zoning from 'AA' (Agricultural) District to 'RT-20' (Townhouse-Maisonette) District.

The effect of the By-law is to permit the development of the subject lands for single-family dwellings (Blocks '1' and '2') and townhouses (Block '3'). -

be reconsidered. - CARRIED.

It was moved by Alderman Merling and seconded by Alderman Gallagher.

RESOLVED: that Section 6 be REFERRED BACK for a Public Hearing. - CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - TWENTY-THIRD REPORT.

(E) LEGISLATION COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Christopherson and seconded by Alderman Wheeler.

RESOLVED: that Section 1, reading as follows:

- "1. That the Regional Municipality of Hamilton-Wentworth be requested to pay 50% of the City of Hamilton's cost of providing administrative support services to the City of Hamilton Aldermen. This cost sharing would reflect the work done on Regional business.

Note: The Finance Committee at its Special Strategy Meeting on the 1988 Budget which was held 1987 October 30th, requested the Legislation Committee to review the possibility of charging the Region for the support services provided by the secretarial staff of the Legislative Division on Regional business on a full cost basis, and report the cost saving to be gained.

The Legislation Committee at their meeting held 1987 November 16th endorsed the principle of charging the Region for the cost of the Aldermen's support staff working on Regional business.",

be deleted and the following inserted in lieu thereof:

- "1. That the Region's Legislation and Reception Committee be requested to consider a mechanism allowing municipalities to charge back some of the support costs for Regional Councillors' work." - CARRIED.

* * * * *

(F) PERSONNEL COMMITTEE - SIXTEENTH REPORT.

The recommendation of the Executive Committee on Section 2
CARRIED.

* * * * *

(G) FINANCE COMMITTEE - TWENTIETH REPORT.

Alderman T. Cooke declared personal interest in, took no part in the debate, and refrained from voting on Section 1 as he is a member of the Board.

* * * * *

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Ross. - 9.

NAYS: Aldermen McCulloch, Valeriano, Copps, Merling, Murray. - 5. CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Alderman T. Cooke be appointed Acting Mayor for the month of December, 1987. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Alderman D. Agostino be appointed to fill the vacancy on the various Boards, Committees, etc. caused by the resignation of former Alderman S. Collins. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-44,
B-93, B-94, B-95,
D-144, D-145, D-146, D-147, D-148, D-149, D-150, D-151,
D-129 - CARRIED.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Ross in the chair.

A-44,
B-93, B-94, B-95,
D-144, D-145, D-146, D-147, D-148, D-149, D-150, D-151,
D-129.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-44,
B-93, B-94, B-95,
D-144, D-145, D-146, D-147, D-148, D-149, D-150, D-151,
D-129 - CARRIED.

* * * * *

City Council adjourned at 9.10 p.m.

* * * * *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its TWENTY-SECOND Report for 1987 and respectfully recommends:

- * 1. (a) That the project, Major Maintenance to Civic Buildings in the gross amount of \$250 000 as provided for in the 1987 portion of the 1987 - 1991 Capital Budget be proceeded with and financed from the Reserve for Capital Projects, Account No. 0280-27.
- (b) That the Director of Property be authorized and directed to undertake this work.

NOTE: This project was approved by the Finance Committee at its meeting held November 17, 1987 and provides for among other things, the following; roof replacements for Central Memorial and Dalewood Recreation Centres; sewer connection for Walker Pool; replacement of removable hot pool floors at MacNab Recreation Centre; repair and re-coat roof at Central Services Building; refurbish the structure at the Cenotaph; repair acoustical ceiling at the Jimmy Thompson Pool as well as painting of various civic buildings.

- **2. (a) That the Director of Property be authorized to commence with renovations to space on the first, third, fourth and mezzanine levels of City Hall at an estimated cost of \$454 000 in order to accommodate the Property Department, Community Development Department, Culture and Recreation Department, Public Works Department, Purchasing Division of the Treasury Department and the Building Department.
- (b) That the City of Hamilton retain the Consultants to be utilized by the Region, to prepare a comprehensive study of office space requirements for all civic departments located in City Hall at a cost not to exceed \$25 000.
- (c) That the total estimated cost of this project in the amount of \$479 000 be financed from the Reserve for Capital Projects, Account No. 0280-27, based on an approved reduction in the cost of two projects known as replacement of ice systems for the Coronation and Parkdale Arenas.

* Recorded Vote, see page 2140

** Recorded Vote, see page 2140

NOTE: The Finance Committee approved this Project at its meeting on November 17, 1987.

For the information of the Members of City Council, the total of \$479 000 will be financed by \$244 400 surplus from the Coronation Rink Project and \$234 600 from the Parkdale Rink Project.

3. (a) That the construction of a finished roadway and concrete curb (north side only) on Princess Street from Sherman Avenue to the east end as a local improvement not be proceeded with since a sufficiently-signed petition against the work has been received by the City Clerk.
- (b) That Item 4 of the Eleventh Report of the Executive Committee which was approved by City Council on May 12, 1987, be rescinded.
- (c) That consideration be given to including the reconstruction of the sidewalk on the south side of Princess Street at the above noted location, including regrading and surface-treating the roadway and installing additional catch basins in the 1988 Preliminary Reconstruction Program.

NOTE: The Transport and Environment Committee approved this recommendation at its meeting November 16, 1987.

4. (a) That the City commute a portion of the Lancing Drive roadway and curb local improvement charge attributable to Lots 6 and 43, Plan M-227, Hamilton Mountain Industrial part No. 1 in the amount of \$4 846.58 so that the owner's portion of the charge will reflect only the portion of roadway and curb actually constructed.
- (b) That the cost to commute this local improvement in the amount of \$4 846.58 be financed from the Account "Local Improvement - Levies on Exempt Properties", Account No. 0378-1098.

NOTE: The Transport and Environment Committee approved this item at its meeting held November 16, 1987.

5. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to transfer the following surplus debenture proceeds in the total amount of \$194 736.96 to the Fire Station - East Mountain Project
 - (a) Construction of Quigley Road Fire Station
(O.M.B. Order No. E840725)\$128 230.31
 - (b) Acquisition of ravine lands for drainage purposes
(O.M.B. Order No. PFE 7993-61)\$ 66 506.65

NOTE: The City's policy in issuing debentures in the past was to secure the funds in the year the project was to commence. Both of the above projects were done accordingly and the net result was that the total amount debentured was not required inasmuch as both projects came in under budget.

The amount of debenture issue for the Quigley Road Fire Station was \$840 000 whereas the amount required was \$711 769.69 leaving a balance of \$128 230.31. The amount of debenture issue for the Land Acquisition Program was \$947 000 whereas the amount required was only \$880 493.35 leaving a surplus of \$66 506.65.

6. That the following resolution be endorsed and forwarded to The Honourable Otto Jelnik, Minister of Fitness and Amateur Sport:

WHEREAS, facts which have already been made public and further information which has been gathered by various organizing bid committees for the 1994 Commonwealth Games and forwarded to you would indicate that there have been serious irregularities in the selection process; and

WHEREAS, the Government of Canada is prepared to contribute \$50 000 000 to the city which is selected, should Canada be chosen for the 1994 Commonwealth Games; and

WHEREAS, the City which has been named was neither the first or second, possibly, not even third choice; and

WHEREAS, not only must there be fairness, there indeed must appear to be fairness; now

THEREFORE, the Government of Canada should strongly consider as its condition of committing \$50 000 000 that the Commonwealth Games Association of Canada appoint a new selection committee and notify all nine cities who submitted bids that there will be an opportunity to re-submit their bid presentations and appear before it; and

That the time and place for such presentations should be set as soon as possible in order that the selected city can be known prior to the Commonwealth Games Federation meeting on January 8th, 1988 in London, England.

11/24/87

-2152-

7. That leave be granted to introduce the following Bill:

(a) Bill A-44 : A By-law to Confirm Proceedings of the Council of
the Corporation of the City of Hamilton.

Respectfully Submitted

ALDERMAN WM. MCCULLOCH
ACTING CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee

1987 November 18
/dg

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its **TWENTY-THIRD** Report for 1987 and respectfully recommends:

- * 1. That the Regional Council of Hamilton-Wentworth be requested to provide litigation services to the City of Hamilton.

Respectfully submitted,

ROBERT M. MORROW,
CHAIRMAN,
EXECUTIVE COMMITTEE.

J. J. Schatz, Secretary
Executive Committee

1987 November 24
JJS/rm

* Recorded Vote, see page 2140

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its SEVENTEENTH Report for 1987 and respectfully recommends:

1. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton) for parking enforcement services for 1988 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender as follows:

	<u>Hourly Rate</u>
Sergeant	9.38
Corporal	8.89
Commissionaires	8.48

Note: This represents a 3.3% increase over 1987 rates. Funds provided in Traffic By-law Enforcement, Contractual Account No. 0345-0319.

2. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Victoria Park Community Homes Inc. for the collection of garbage at 1049 Rymal Road East, Hamilton.

Note: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

3. That the application of Mr. E. Fisher, on behalf of the present owner(s) of 378 Bay Street North, Elizabeth Fisher, to retain the following inadvertent encroachment consisting of a wooden veranda 0.72m by 6.10m and concrete walkway and steps, 3.25m by 0.91m, be approved during the pleasure of City Council provided:

- (a) That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (b) That a first year fee of \$125., and subsequent annual fee of \$20. be set for this privilege.
- (c) That the Mayor, City Clerk and Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

4. That the following organizations be permitted to display a promotional banner across Main Street, in front of City Hall, subject to the policy guidelines and conditions approved by City Council on October 29, 1985 and September 30, 1986 on the dates indicated below and with the following messages.

ORGANIZATIONS	DATES	MESSAGE
a) Ontario Boat Shows	February 8/88 to February 15/88	"Power Boat Show"
	March 14, 1988 to March 21, 1988	"Hamilton Sail Boat Show"
b) Football Hall of Fame Induction Committee	Sept. 6/88 to Sept. 19/88	"Canadian Football Hall of Fame Welcomes Hall of Famers and 1988 Inductees"

5. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of the Registry Act R.S.O. 1980, for an order to stop-up and close the "north/south alley between Province Street and Graham Avenue from the east/west alley to 18.28m south of Monterey Avenue.
- (b) That the Commissioner of Engineering be authorized and directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed.
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in District Court.

- (d) That the Applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor to the satisfaction of the Regional Surveyor and to delineate the manner in which the closed portion is to be distributed among the abutting owner(s) and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
 - (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.
 - (f) That the Director of Property be authorized to proceed with disposition of the subject lands to the abutting owner(s).
 - (g) Provided the Judge's Order to close the highway is granted:
 - i) That the City Solicitor be directed to prepare a by-law for the sale of the closed highway to the abutting owner(s).
 - ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1980, of the intention to pass the by-law.
6. (a) That Hamilton Hydro be directed to install three additional luminaires on the former Donn Avenue bus loop.
- (b) That the cost of this work estimated at \$1 500. be charged to Account No. 0352-1019 - Street Lighting.
7. That the application of Dofasco Inc. to temporarily close Depew Street between Burlington Street and Gertrude Street on December 20, 1987 from 8:00 a.m. to 5:00 p.m. to facilitate their Annual Christmas Party be approved subject to the following conditions:
- (a) That the applicant obtain "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department and at the expense of the organizing group.
 - (b) Clean-up of the street will be carried out immediately following the event at the expense of the organizing group.

- (b) Clean-up of the street will be carried out immediately following the event at the expense of the organizing group.
 - (c) The organizing group shall provide public liability insurance in the amount of \$1 000 000. naming the City as an added insured party with a provision for cross liability and shall hold the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (d) No resident within the barricaded area will be denied access to their residence upon request.
8. That the City Solicitor be authorized and directed to prepare a By-law to incorporate Block 17, Plan 62M-479 into Carriagegate Drive.
9. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale of a parcel of land on Beach Road being "an irregular parcel of land located approximately 133 ft. west of the west limit of Ottawa Street North having an average width of approximately 20 ft., an average length of approximately 218 ft. and an area of approximately 4057 sq. ft. totalling approximately 0.090 acres".
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law.
 - (c) That the Director of Real Estate be directed to proceed with the disposition of the said lands to the abutting owners.
 - (d) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor to the satisfaction of the Regional Surveyor and to delineate the manner in which the closed portion is to be distributed among the abutting owners and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
 - (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Act.
 - (f) That it is the purchaser's responsibility to terminate and relocate at their own expense any existing utility affected by this closing to the satisfaction of the Commissioner of Engineering.

- (g) That the existing encroachment agreements No. 260422 A.B. and No. 350710 A.B. be discharged subject to the satisfaction of the City Solicitor.
- (h) That the appropriate Civic officials be authorized to execute the documents in relation to the agreement discharges.

10. That an Offer to Purchase executed by H. Graham Wilson, Vice-President and Secretary and Mr. Urmas Soomat, Assistant Secretary on behalf of Dofasco Inc., on October 23, 1987 and scheduled to close 60 days after the enactment of a by-law to stop up, close and sell the portion of the road allowance of Beach Road west of Ottawa Street North be approved and completed.

Note: The subject parcel is part of the road allowance of Beach Road located 133 feet (40.5 metres) west of the limit of Ottawa Street North, having an average width of 20 feet (6.09 metres) by an average depth of 218 feet (66.4 metres) more or less, containing 4 057 square feet (376.8 square metres) The purchase price of \$11 177. is to be credited to Account No. 0280-02. A certified deposit cheque in the amount of \$1 000. is being held by the Treasurer pending approval of this transaction.

The exact area of the subject parcel of land will be determined later through a survey prepared by the Purchaser. The final purchase price of the lands described herein is to be calculated by applying a rate of \$120 000. per acre applied to the land being purchased as defined by the survey. This could result in an upward or downward adjustment to the approximate purchase price.

11. (a) That an Option to Purchase in favour of the City in respect of the realty known as Municipal No. 128 Guildwood Drive executed by Janet Dove and Helen Zurbrigg on October 24, 1987 and scheduled for closing on February 25, 1988 be accepted and completed.

Note: The property under Option comprises a residential lot having a frontage of 50 feet on the northerly limits of Guildwood Drive by a depth of 150 feet complete with semi-detached residential unit thereon.

The purchase price is \$126 650. the cost of which is to be charged against Account No. 0408-X95056.

- (b) That an Option to Purchase in favour of the City in respect of the realty known as Municipal No. 332 Magnolia Drive, executed by Leslie Voros and Rosalie Voros on October 27, 1987, and scheduled for closing on June 24, 1988 be accepted and completed.

Note: The property under Option comprises a residential lot having a frontage of 47.5 feet on the southerly limits of Magnolia Drive by a depth of 150 feet, complete with semi-detached residential unit thereon.

The purchase price is \$128 225., the cost of which is to be charged against Account No. 0408-X95056.

- (c) That an Option to Purchase in favour of the City in respect of the realty known as Municipal No. 324 Magnolia Drive executed by Hubert Oscar McLelland and Alice Bradford McLelland on October 27, 1987, and scheduled for closing of May 27, 1988 be accepted and completed.

Note: The property under Option comprises a residential lot having a 50 foot frontage on the southerly limits of Magnolia Drive by a depth of 150 feet complete with semi-detached residential unit thereon.

The purchase price is \$126 650. which is to be charged against Account No. 0408-X95056.

These three parcels are required to provide a 20 foot walkway connecting the Fessenden and Gurnett Neighbourhoods, geographically separated by the future freeway. Upon establishing the walkway, the remaining portions of the properties inclusive of their dwellings will be sold on the open market on the basis of their residual value. A fourth property remains to be acquired. However, the preclusion of the fourth parcel from the assembly will not preclude immediate creation of the walkway which could be confined to 10 feet at this point. The fourth property owner, though not opposed to selling, is not prepared to transact with the City at this time in the absence of his spouse who is presently out of the country.

12. (a) That the submitted schedules for the estimated cost of services in "Greenhill Gardens - Phase 3" as approved by the Commissioner of Engineering, be adopted by inclusion in the proposed Subdivision Agreement.

- (b) That the City's share of the cost of services for this development (\$4 789.75) be approved and charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12.
 - (c) That the approval of clause (b) be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.
 - (d) That, in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, the Subdivider should be permitted to do so at his/her own risk, providing that the Subdivider enter into a Standard Agreement for Pre-Servicing.
13. (a) That the submitted schedules for the estimated cost of services in "Kenora Gardens" as approved by the Commissioner of Engineering be adopted for inclusion in the proposed Subdivision Agreement.
- (b) That the approval of clause (a) be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.
- (c) That, in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, the Subdivider should be permitted to do so at his/her own risk, providing that the Subdivider enter into a Standard Agreement for Pre-Servicing.
14. (a) That the submitted schedules for the estimated cost of services in the "High Ridge West" as approved by the Commissioner of Engineering be adopted for inclusion in the proposed Subdivision Agreement.
- (b) That the approval of clause (a) be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.
- (c) That, in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, the Subdivider should be permitted to do so at his/her own risk providing that the Subdivider enter into a Standard Agreement for Pre-servicing.
- (d) That the City's share of the cost of services for this development (\$12 160.96) be approved and charged to the Reserve for Service through Unsubdivided Lands, Account No. 0280-12.

15. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m. Monday to Saturday" regulation on the south side of Bobolink Road commencing at a point 41 feet east of Meadowlark Drive and extending to a point 35 feet easterly therefrom be extended, such that the regulation commences at a point 40 feet east of Meadowlark Drive and extends to a point 80 feet easterly therefrom; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
16. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m, Monday to Saturday" regulation be implemented on the north side of Limeridge Road East, commencing at a point 21 feet west of the east curb line of Leggett Crescent and extending to a point 40 feet westerly therefrom; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
17. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first eight applicants residing in the apartment building at No. 142 Caroline Street South.
18. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first three applicants residing in the apartment building at No. 95 Leeming Street.
19. (a) That a "One Hour Parking Time Limit" regulation be implemented on the east side of Ray Street South between Jackson Street West and Main Street West; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
20. (a) That a "Permit Parking" regulation be implemented on the north side of Forest Avenue between Walnut Street South and Ferguson Avenue South; and,
(b) That the Director of Traffic Services be authorized to issue one parking permit, upon request, to one resident of each of the one, two or three family dwellings abutting the block and any additional permits (to a maximum of nine) on a first come first served basis; and,
(c) That the City Traffic By-law 66-100 be amended accordingly.

21.
 - (a) That the existing parking prohibition on the south side of Haymarket Street between Hughson Street South and a point 115 feet easterly be rescinded to allow the restoration of two parking meters; and,
 - (b) That the City Traffic By-law 66-100 be amended accordingly.

22. That the application by First Place (Jubilee Consultant Services) to lease a portion of the boulevard of West Avenue South, adjacent to No. 350 King Street East, be approved provided:
 - (a) That the applicant pays the annual fee in accordance with the fee structure approved by the City Council on March 25, 1986 (Current rate is \$125. per year), plus taxes, if any, in addition to the annual \$10. annual encroachment charge approved by City Council on February 14, 1984.
 - (b) That the owner pays a one time \$25. registration fee as approved by the City Council on January 14, 1986.
 - (c) That the owner complies with the requirements as set out in the policy approved by the City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.
 - (d) That the driveway approaches, parking areas and other structures as approved by the Director of Traffic Services be constructed and maintained at the owner's expense.
 - (e) That the owner executes an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, cause of action, interest, claims, demands, costs, damages, expenses and loss.

23.
 - (a) That a School Traffic Officer be assigned to assist children crossing at the intersection of Franklin Road and East 27th Street on a temporary basis until June 1988.
 - (b) That the re-assignment of a School Traffic Officer at this intersection be reviewed prior to the commencement of the 1988 - 1989 School Term.

24. That leave be granted to introduce the following bills:

- (a) Bill No. B-93 By-law to Widen Elmore Drive by
Incorporating Therein Parts 10 and 11, Plan
62R-8311
- (b) Bill No. B-94 By-law to Amend Traffic By-law No. 66-100
To Regulate Traffic
- (c) Bill No. B-95 By-law to Amend Traffic By-law No. 66-100
To Regulate Traffic

Respectfully submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

John Thompson, Acting Secretary
November 16, 1987
mjw

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

To the Members of City Council

The Parks and Recreation Committee presents its **TWENTY-FIRST** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to **Boonstra & Reiding Ltd., Hamilton**, in the amount of \$48,347.00 including applicable taxes for the supply and installation of Two (2) Split System Dehumidifiers at Lawfield Arena, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

Note: Funds provided in Account #0408 E85011 Dehumidifiers Lawfield Arena (\$40,000) and Account #0408 A35325 Energy Conservation Programme 1983 (\$8,347).

AS THIS WORK IS TO BE COMPLETED PRIOR TO THE END OF 1987, THE ABOVE HAS BEEN PROCESSED THROUGH THE EMERGENCY PROCEDURES OF THE CITY OF HAMILTON PURCHASING POLICY.

2.
 - (a) That the City of Hamilton renew its previous lease with the Macassa Bay Yacht Club, commencing 1987 December 01 and expiring 1988 November 30, for an annual rent of \$5 000 plus taxes (estimated at \$5 347.45 for 1988).
 - (b) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.
- * 3.
 - (a) That prior to any exchange of lands between the City of Hamilton and DiCenzo Construction Company Limited involving the Olmstead Site, all burials should be scientifically documented via the necessary archaeological test excavations and placed in the appropriate and specifically delineated cemetery on site, to the satisfaction of the Ministry of Culture and Communications.

* Section 3 Referred Back
Recorded Vote, see page 2141

- (b) That subsequent to all of the Ministry of Culture and Communications' requirements with respect to archaeological test excavations and provisions for an on-site cemetery being met:
- i) A fund be calculated and set aside by the owners of the property for Perpetual Care so that the Public Works Department--Cemeteries Division can maintain this cemetery in perpetuity. The fund should be sufficient so that only the interest from the fund would be required for annual maintenance.
 - ii) An exchange between the City-owned lands and the lands presently owned by DiCenzo Construction Company Limited be negotiated by the Property Department.

Note: For the information of the members of City Council, prior to approving an exchange of City-owned land for land owned by DiCenzo Construction Company Limited, the Parks and Recreation Committee in the Spring of this year requested more information with respect to the cemetery, the extent of burial remains in the area, and an outline of what would be required of the City of Hamilton as the owner of the land to comply with the requirements of the Ministry of Culture and Communications.

Coincidentally, at this time the present owners of the land, DiCenzo Construction Limited had initiated an archaeological study within the area. Accordingly, this matter was deferred until this information was available.

Staff contacted the Ministry of Culture and Communication afterwhich the Ministry concluded:

- That on the basis of three archaeological investigations, that unmarked Native graves exist scattered across the Olmstead village site.
- That consultation with Six Nations indicates that they are prepared to accept the proposal that an area be set aside to be designated an official cemetery, and that those burials located outside the designated area may be exhumed and re-interred in the cemetery.
- That the procedural and property management aspects of this situation appear straight forward, however the Ministry of Consumer and Commercial Relations must also be agreeable to these arrangements.

As requirements of the Ministry of Culture and Communications and the Ministry of Consumer and Commercial Relations will have to be met, and as more archaeological investigations are required to scientifically document that which is present on the land and further that the only definite known entity is the size of the City owned land which is completely useable and its value, it appears reasonable for the present owner of the land, DiCenzo Construction Company Ltd., to respond to unknown items.

4. That approval be given to the Downtown Promenade B.I.A. to arrange for a laserlite show in Gore Park from Thursday, 1987 December 10 to Wednesday, 1987 December 23.

Note: The Downtown Promenade B.I.A. and the Region of Hamilton-Wentworth's Economic Development have both contributed to this proposal and are arranging for corporate sponsorships to defray the costs of the laserlite show.

Currently it is planned that 20 minute laserlite shows would be displayed nightly shortly after 5:00 p.m. so that both shoppers and business people leaving work for the day could view the laserlites.

- * 5. That Parks located in Ward 1 be officially named as outlined on the attached Appendix "A".

Note: Spruceside Park and Highland Gardens have been excluded from Appendix "A" pending a meeting between the residents in the vicinity of the Parks and the Ward Aldermen. A recommendation with respect to these two parks will be forwarded at a later date.

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

L. Peddle, Acting Secretary
1987 November 18
lp
Attach.

* Appendix "A" to Section 5 amended, see page 2167

Section 5 referred to in
the Twenty-first Report
of the Parks and
Recreation Committee.

A P P E N D I X "A"

<u>Park Name</u>	<u>History</u>
Ainslie Wood Park	Land formerly owned by Colonel Robert C. Ainslie and known as Ainslie's Woods in the 1800's. Located in the Ainslie Wood East Neighbourhood.
Alexander Park	Formerly known as West Hamilton Park. Renamed Alexander Park by the Parks Board in honour of Governor General Viscount Alexander.
Beulah Park	Neighbourhood residents donated funds for landscaping and equipment. Name requested by area residents.
Cathedral Park	Known as Cathedral Park due to its proximity to the Church of Christ the King.
Chedoke Crossway	Former Chedoke Golf course property severed by construction of Chedoke Expressway (#403).
* Chedoke Golf Course	Former Hamilton Golf and Country Club. Named Chedoke because of Chedoke Ravine. Chedoke is an indian word meaning seven oaks.
Churchill Park	Royal Botanical Gardens property named in honour of Sir Winston Churchill.
Coronation Park	Named in honour of the Coronation of Queen Elizabeth II.
Dundurn Park	Named after Sir Allan McNab's Ancestral Home in Scotland.
H.A.A.A. Grounds	Hamilton Amateur Athletic Association Property purchased by City from Hamilton Cricket Club.
Harvey Park	Formerly known as Kent's paradise, renamed in honour of Colonel Harvey in 1894.
Jackson Playground	Known as Jackson Playground due to its location on Jackson Street.
Kay Drage Park	Named in honour of the Late Ward 1 Alderman in 1981.
Stroud Road Park	Known as Stroud Road Park due to its location on Stroud Road.
Tom Street Park	Known as Tom Street Park due to its location on Tom Street.
Victoria Park	Named in honour of Queen Victoria.
* Formerly read as Chedoke Park and Golf Course.	

REPORT OF THE PLANNING & DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **TWENTY-SECOND** Report for 1987 and respectfully recommends:

1. (a) That **APPROVAL** be given to Zoning Application 87-97, Eduardo Amaral, owner, requesting a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District, to allow the existing grocery/variety store (a legal non-conforming use) and pizza take-out (illegal) as permitted uses within the existing building, for the property located at No. 287 Locke Street South, as shown on the attached map marked as **APPENDIX "A"**, on the following basis:
 - (i) That the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the property located at No. 287 Locke Street South, be modified to include the following variance as a special requirement.
 1. Notwithstanding Section 10.(1), the following commercial uses shall be permitted:
 - (a) a grocery and variety store and pizza take-out limited to the first floor within the existing building.
 2. That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1052, and that the subject lands on Zoning District Map W-14 be notated S-1052;
 3. That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14;
 4. That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (b) The conditions of the Hamilton-Wentworth Engineering Department be satisfied prior to the amending by-law being submitted to City Council for approval.

NOTE: The purpose of this By-law is to provide for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District for the property located at No. 287 Locke Street South.

The effect of this By-law is to allow the existing grocery and variety store and pizza take-out as permitted uses within the first floor of the existing building.

2. That APPROVAL be given to amended Zoning Application 84-79 Ferrell Builders Supply Limited; Adorn Investments Ltd.; Mary Henderson; Michel and Debra Garon and Walter Kohlberger, owners, to establish the following changes in zoning for lands in the area north of Queenston Road and west of Grays Road as shown on the attached map marked as APPENDIX "B" on the following basis:

- (a) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District;
- (b) That the lands described as Blocks 2, 5 and 7 be rezoned from "AA" (Agricultural) District and "E-2" (Multiple Dwellings) District to "G" (Neighbourhood Shopping Centre, etc.) District;
- (c) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 applicable to the lands described as Blocks 2, 5 and 7 be modified to include the following variances as special requirements:
 - (i) Notwithstanding the provisions of Section 13(1) of Zoning By-law No. 6593 the following commercial uses are prohibited:
 - 1. a restaurant or refreshment room
 - 2. a laundry or dry cleaning establishment
 - 3. a storage garage
- (d) That the lands described as Blocks 3, 4 and 6 be rezoned from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District
- (e) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14(1) of Zoning By-law No. 6593 applicable to the lands described as Blocks 3, 4 and 6 be modified to include the following variances as special requirements:

- (i) Notwithstanding the provision of Section 14(1) of Zoning By-law No. 6593 the following Industrial uses are prohibited:
 - 1. Textile and textile products
 - 2. An artificial ice plant
- (ii) That a 6.0m wide landscaped planting strip be established along the northerly limit of the "H" District lands where they abut the residential district to the north, and a 2.5m high closed fence be located within the landscaped planting strip.
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1053, and that the subject lands on zoning District Maps E-124 and E-125 be notated S-1053;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-124 and E-125;
- (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (i) That the Riverdale East Neighbourhood Plan be amended as follows:
 - (i) by redesignating Block 7 from "Commercial" to a "non-Highway Commercial" designation
 - (ii) by shifting the required landscaped planting strip and 2.5m high closed fence 6.0m in a northerly direction across the rest of the commercial properties described a Block 3, 6 and 7, which in effect would correspondingly increase the depth of the commercial development 6.0 m; and,
 - (iii) by shifting the alignment of proposed Birkendale Drive between Sylvester Street and proposed Donn Avenue 6.0m in a northerly direction.

NOTE: The purpose of the By-law is to provide for the following changes in zoning:

- (a) Block 1 Change from "AA" (Agricultural) District to the new "R-2" (Urban Protected Residential One and Two-Family Dwellings, etc.) District;
- (b) Blocks 2 5 & 7 Change from "AA" (Agricultural) District and "E-2" (Multiple Dwellings) District to "G" (Neighbourhood Shopping Centre, etc.) District, modified;

- (c) Blocks 3 4 & 6 Change from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District, modified.

In addition, the By-law provides for the following variances as special requirements:

- (a) As to Blocks 2, 5 & 7 To prohibit the following commercial uses:

- (i) a restaurant or refreshment room
- (ii) a laundry or dry cleaning establishment
- (iii) a storage garage

- (b) As to Blocks 3, 4 & 6 To prohibit the following industrial uses:

- (i) textile and textile products
- (ii) an artificial ice plant

To require a 6.0 m (20 ft.) wide landscaped planting strip along the northerly limit of the "H" District lands where they abut the residential district to the north, and a 2.5 m (8.2 ft.) high closed fence within the landscaped planting strip.

3. That APPROVAL be given to an amended Zoning Application 87-86, Hamilton Street Railway, owner for a change in zoning from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two-Family Dwellings etc.) District (Block 1), and from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Center etc.) District (Block 2), for property at the rear of No. 973 Queenston Road as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two-Family Dwellings etc.) District.
- (b) That the lands described as Block 2 be rezoned from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Center) District.

- (c) That the "G" (Neighbourhood Shopping Center) District regulations as contained in Section 13 of Zoning By-law No. 6593 applicable to the lands described as Block 2 be modified to include the following variances as special requirements:
- (i) Notwithstanding the provisions of Section 13(1) of Zoning By-law No. 6593 the following Commercial uses are prohibited:
1. a restaurant or refreshment room
 2. a laundry or dry cleaning establishment
 3. a storage garage
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1054, and that the subject lands on zoning District Maps E-124 and E-125 be notated S-1054.
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-124 and E-125.
- (f) That the Riverdale East Neighbourhood Plan be amended by redesignating the southerly part of Block 1 from "Attached Housing" to a "Single and Double" residential designation, and Block 2 from "attached Housing" to a "Non Highway Commercial" designation.
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for the following changes in zoning:

- (a) Block 1 - Change from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two-Family Dwellings etc.) District.
- (b) Block 2 - Change from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Center) District.

The effect of the By-law is to permit single family or two-family dwellings on Block 1, and to permit neighbourhood commercial development on Block 2 in conjunction with adjoining lands to the east fronting onto proposed Donn Avenue.

In addition, the By-law provides for the following By-law variances to the "G" (Neighbourhood Shopping Center) District applicable to the lands described as Block 2.

To prohibit the following commercial uses:

- (a) a restaurant or refreshment room
- (b) a laundry or dry cleaning establishment
- (c) a storage garage

4. That APPROVAL be given to Zoning Application 87-105, Hamilton/Burlington YMCA, lessee, for a modification to the "B" (Suburban Agriculture and Residential, etc.) District, to permit a Day Care Center to locate within the existing building (Sherwood Secondary School) for the property located at No. 25 High Street as shown on the attached map marked as APPENDIX "D" on the following basis:
- (a) That the "B" (Suburban Agriculture and Residential, etc.) District regulations as contained in Section 8 of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 8.(1) the following additional institutional use shall be permitted:
 - 1) A Day Care Center within the existing building.
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1055, and that the subject lands on Zoning District Map E-57 be notated S-1055;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-57;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the "B" (Suburban Agriculture and Residential, etc.) District regulations for the property located at No. 25 High Street.

The effect of the By-law is to permit a Day Care Center to locate within the existing building (Sherwood Secondary School).

5. That APPROVAL be given to Zoning Application 87-79, Unidevco Property Group Limited, prospective owner, for a further modification to the established "KK" (Restricted Heavy Industrial) District regulations for property municipally known as No. 35 Goderich Road, as shown on the attached plan marked as APPENDIX "E" on the following basis:

- (a) That the "KK" (Restricted Heavy Industrial) District regulations as contained in Section 17A of Zoning By-law 6593, applicable to the subject lands be amended to the extent only of the following variances as special requirements:
- (i) notwithstanding subsection 17A(1) the following,
1. RESIDENTIAL USES shall not be prohibited:
 - (a) Hotel, motel and motor hotel, having sealed windows in habitable rooms;
 2. COMMERCIAL USES shall not be prohibited:
 - (a) Banquet Centre
 - (b) Banks and Financial Institutions
 - (c) Business and Professional Persons' Offices
 - (d) Bowling Alley, Billiard Hall
 - (e) Medical Clinics
 - (f) Medical and Dental Labs
 - (g) Lawn and Garden Centres
 - (h) Retail Stores
 - (i) Laundry, Self-Serve Laundry, Dry Cleaner Pick-up
 - (j) Barber Shop, Hairdressing Salon, Beauty Parlour, Massage Parlour, Shoe Shine Parlour, or other such establishment for personal services
 - (k) Travel agencies
 - (l) Taxi Cab Services
 - (m) Restaurants, and
 - (n) Taverns
- (ii) notwithstanding subsection 17A(2) of By-law No. 6593, no building shall exceed 7 storeys, and no structure shall exceed 20m in height;
- (iii) the gross floor space for sales or storage of any of the uses in subclause 16(A)(1)(ej) of By-law No. 6593, or a combination of the uses, shall not apply.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-240C, and that the subject lands on Zoning District Map E-102 be noted S-240C;
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law NO. 6593 and Zoning District Map E-102;

- (d) That the proposed change in zoning is in conformity with the Official Plan;

· NOTE: The purpose of the by-law is to provide for a further modification to the established "KK" (Restricted Heavy Industrial) District regulations for property municipally known as No. 35 Goderich Road.

The effect of the by-law is to permit development of the subject lands in conjunction with the abutting land to the north and east for a variety of commercial uses as well as allowing for a hotel, motel and motor hotel. In this regard, the By-law provides for the following variances as special requirements:

- (a) to permit retail grocery, variety store, confectionary store and lunch counter or refreshment stand without a floor space limitation (Section 16A(1)(ej))
- (b) to permit a variety of commercial uses and the hotel, motel, motor hotel which otherwise are not permitted (Section 17A(1)).
- (c) to permit buildings to have a maximum of seven storeys with a 20m (65.61 ft.) height limitation, whereas a height limitation of four storeys (17.0m or 55.8 ft.) would apply (Section 17A(2)).

6. That Zoning Application 87-108, Hamilton-Wentworth Head Injury Association, prospective owner, requesting a modification to the "DE-2" (Multiple Dwellings) District regulations to permit the conversion of a three family dwelling for a residential care facility for eight (8) persons recovering from head injuries, for the property located at No. 100 Barnesdale, as shown on the attached map marked as APPENDIX "F", be DENIED for the following reasons:

- (a) There are two existing residential care facilities located within 180 m of the subject lands and several more within 360m. The intent of the radial separation distance is to avoid an over-saturation of these facilities in any one neighbourhood. Approval of the application would only intensify the concentration of residential care facilities within one area.
- (b) it would set an undesirable precedent for future similar applications.

NOTE: For the information of the members of City Council, the Planning and Development Committee have agreed to work with the Hamilton-Wentworth Head Injury Association in finding a suitable location for this facility.

7. (a) That Clause (d) of Section 6 of the 19th Report of the Planning and Development Committee adopted by City Council on 1987 October 13th be amended by striking out "RT-10" in the second line and substituting "RT-20"; and
- (b) That the City Solicitor be authorized and directed to prepare a By-law to repeal By-law No. 87-322 passed by City Council on 1987 November 10th; and to prepare a By-law identical with By-law No. 87-322 except to include the change referred to in Clause (a), above.

NOTE: By-law No. 87-322 rezoned land located on the south side of Stone Church Road East, in the area east of Upper Wellington Street. This By-law was enacted following Council's approval of ZA-87-51 on 1987 October 13th.

8. That the Chairman or his designate be authorized to attend an A.M.O. Seminar entitled, "Lot Levies: A Developing Issue" to be held on Friday, 1987 November 20th in Rexdale, Ontario.
9. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below.
 - (a) 255 Young Street
 - (b) 213 Belmont Avenue
 - (c) 215 Belmont Avenue
 - (d) 141 Belview Avenue
 - (e) 151 Belview Avenue
 - (f) 155 Belview Avenue
 - (g) 213 Brant Street
 - (h) 13 Gerrard Street
 - (i) 14 Gerrard Street
 - (j) 386 Birch Avenue
 - (k) 397/399 Sherman Avenue North
10. That By-law No. 85-14, prescribing a tariff of fees in relation to anticipated administrative costs, be appropriately amended to reflect a fee increase from the present \$150 to \$180 for applications to the Committee of Adjustment effective 1988 January 4.

NOTE: The present \$150 application fee for applications to the Committee of Adjustment has not been altered for approximately three years. A projection of 1988 volumes and costs appears to reflect a cost of about \$180 per application and it is felt that the present fee should be adjusted.

11. That the following four (4) O.H.R.P. applications BE APPROVED, and that the Department of Community Development be authorized to process grants/loans in an amount not to exceed \$7 500:

- (a) H. Walker
8 Albany Avenue
- (b) A. Gilmour
36 Bayfield Avenue
- (c) M. Smith
21 Lorne Avenue

NOTE: The actual amount of grant or loan will be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.S.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.).

12. (a) That, in accordance with Schedule "A" attached hereto and marked as APPENDIX "G", The 1988 operating budget of the International Village Business Improvement Area be approved in the amount of seventy thousand dollars (\$70 000); and,
- (b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1988 budget as referenced in (a) above; and,
- (c) That, the following Schedule of Payments for 1988, be approved:

February 1	\$25 000
June 1	\$25 000
September 1	\$ 9 500
Shortfall	<u>\$10 500</u>
TOTAL	\$70 000

13. (a) That the Community Improvement Plan for Barton Street East from Wellington to Wentworth Streets (Barton Street East One B.I.A.) attached hereto and marked as APPENDIX "H" be ADOPTED in order to implement the Commercial Facade Loan Programme and the Commercial Improvement Programme; and,
- (b) That the area, as shown on the map attached hereto as APPENDIX "I", be ADOPTED as a Community Improvement Project Area; and
- (c) That the City Solicitor be hereby authorized and directed to prepare the requisite by-law; and,

- (d) That, the City Solicitor be hereby authorized to submit to the Province, through the Ministry of Municipal Affairs, the Community Improvement Plan for Barton Street East for their approval.

NOTE: On 1987 June 23, By-law 87-178 was passed designating the area as a Business Improvement Area. Subsequent to this, on 1987 October 28 a Public Meeting was held to present the Community Improvement Plan. The Planning Act, Section 28, Sub-section 7 (1983) stipulates that, "For the purpose of carrying out the community improvement plan the municipality may make grants or loans to the registered owners or assessed owners of lands and buildings within the community improvement project area to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan." In order to implement the Commercial Facade Loan Programme and the Commercial Improvement Programme within the Barton General B.I.A., the Community Improvement Plan must be adopted by by-law and approved by the Ministry of Municipal Affairs.

14. That an Offer to Purchase the lands of The Corporation of the City of Hamilton, Lot 43, Plan M-227, Hamilton Industrial Park No. 1 located on Lancing Drive, duly executed on 1987 November 2, by the Purchasers, Elio Pietrantoni and Maria Angela Pietrantoni and scheduled for closing on 1988 January 26, be **APPROVED** and **COMPLETED**.

NOTE: The purchase price is \$65 000. A deposit cheque in the amount of \$7 695 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the northern limit of Lancing Drive, having a frontage of 197.53 feet by a depth of 375.44 feet/377.12 feet and containing an area of 1.71 acres.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto and marked as **APPENDIX "J"**.

15. That an Offer to Purchase an irregular shaped parcel of vacant land located on the southerly limit of York Boulevard between Hess Street North and Queen Street North to Douglas L. Nash and Brian W. Morison, scheduled for closing on or before 1987 October 29, be **EXTENDED** to close on or before 1988 January 14.

NOTE: The extension is to be granted on the understanding that all other terms and conditions agreed to within the Offer to Purchase will remain unchanged, and time will remain of the essence.

16. That an offer to Purchase the lands of The Corporation of the City of Hamilton, being Lot 40, Plan M-227, Hamilton Industrial Park #1, located on Nebo Road, duly executed on 1987 October 19, by the Purchasers, J. Piano, Lupo Mucci and Joe Licatolosi and scheduled for closing on 1988 March 28, be APPROVED and COMPLETED.

NOTE: The purchase price is \$136 000. A deposit cheque in the amount of \$13 600 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the eastern limit of Nebo Road, having a frontage of 206.36 feet by a depth of 567.23 feet/618.89 feet and containing an area of 2.723 acres.

It is understood and agreed that the Vendor upon completion of this transaction will pay a Real Estate Commission on the following basis to Rivero Real Estate Limited, 1362 Main Street East, Hamilton, Ontario L8K 1B7, whose agent, Mr. Peter Strus, acted in this matter.

1st \$100 000 of Purchase Price - 5%
2nd \$100 000 of Purchase Price - 4%

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto and marked as APPENDIX "K".

17. That an Offer to Purchase the lands of The Corporation of the City of Hamilton, being Lot 39, Plan M-227, Hamilton Industrial Park #1, located on Nebo Road, duly executed on 1987 October 22 by the Purchasers, Luigi DelSordo and Maria DelSordo and scheduled for closing on 1988 March 29, be APPROVED and COMPLETED.

NOTE: The purchase price is \$124 000. A deposit cheque in the amount of \$12 400 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the eastern limit of Nebo Road, having a frontage of 206.05 feet by a depth of 516.95 feet/567.33 feet and containing an area of 2.487 acres.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto and marked as APPENDIX "L".

18. That an Offer to Purchase City owned lands at Municipal No. 405 York Boulevard, by Jubille Consultants Services, Hamilton, which was scheduled to close on 1987 September 30th, be EXTENDED to close on or before 1988 March 2nd. All other terms and conditions to remain the same, and time to remain of the essence.
19. (a) That APPROVAL be given for the City to release Gerald Vulker and John Popaleni of the covenants in the agreement regarding Parts 1, 2 and 3 on Plan 62R-2571, between Gerald Vulker and John Popaleni and the City of Hamilton, registered on 1976 May 27 as Instrument 15303 CD.
- (b) That the City Solicitor take the necessary action to finalize this release.

NOTE: In 1975, City Council approved the severance of a lot at 1422 Upper Sherman Avenue subject to the following conditions:

- (a) Establishment of a 1' reserve around the perimeter of the remaining lands shown as Parts 1 and 2 on Plan 62R-2571.
- (b) The Owners covenant and agree to deliver to the City, on the execution of this Agreement by the said City a deed in registerable form to Parts 4 and 5 as set out in the plan deposited as 62R-2571.
- (c) The City covenants and agrees to hold such Parts 4 and 5, In Trust, for the Owners on the following terms:
- (i) when sewer and water services have been installed on Upper Sherman Avenue, the Owners are to have the right to re-purchase said Parts 4 and 5 from the City of Hamilton for One Dollar (\$1) plus any taxes and local improvements allocated to said Parts 4 and 5 during the period of time they are held by the City.
- (ii) the Owners are to maintain and cut the weeds on the lands remaining to them, and to maintain any building on these lands, and they are to have a right-of-way over said Parts 4 and 5 for such purposes.

On 1987 September 14, a request was received from R. Barry Caskie, Solicitor for the Owners to release the covenants in this agreement.

As sewer and water services have been installed on Upper Sherman Avenue, and all other conditions of the covenants have been complied with, it is recommended to release the covenants in the agreement.

20. That the Corporation of the City of Hamilton accept the sum of \$35 040.77 as cash payment in lieu of 5% dedication in connection with "Ridgeview Estates - Phase 2", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

NOTE: These lands are located east of Upper Wentworth Street and south of Stone Church Road in the Butler Neighbourhood, Hamilton.

21. (a) That the City of Hamilton enter into a Heritage Easement Agreement with the MacNab Street Presbyterian Church subject to the satisfaction of the City Solicitor, and
- (b) That the Mayor and City Clerk be authorized and directed to execute this agreement.

NOTE: The Provincial Government has awarded a heritage grant of \$108 308 for the restoration of the church buildings on the condition that the church be designated under the Ontario Heritage Act and that a heritage easement between the property owners and the City be executed. The designation by-law was approved by Council on 1987 August 25.

22. That the Regional Municipality of Hamilton-Wentworth be requested to grant one year extensions to the draft approval for Battleridge Subdivision (Regional File No. 25T-76024) and Wisemount Forest Survey - Phase 3 Subdivision (Regional File No. 25T-83004).

23. (a) That APPROVAL be given for Subdivision Application 87-18, T. J. Cooper and M. J. Cooper, owners, to establish a draft plan of subdivision located south of Rymal Road, west of Christie Street and north of the Ontario Hydro Electric Power Transmission line, subject to the following conditions:
- (i) That this approval apply to the plan proposed by Ashenhurst-Nouwens Limited, dated 1987 June 15, revised to show 48 lots, one block for park purposes, two blocks for open space and drainage purposes, a 2 m. x 2 m. daylight triangle, appropriate radii and a 20 m. width on the cul-de-sac as shown on the draft approval plan.

- (ii) That the road allowances be dedicated as public highways on the final plan.
 - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iv) That the final plan conform with the Zoning By-law approved under the Planning Act.
 - (v) That the owner convey 5% of the lands included in the plan to the City of Hamilton for park purposes, said conveyance to comprise of Block "49".
 - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (vii) The owner is to convey blocks "50" and "51" to the City of Hamilton for open space and drainage purposes.
 - (viii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot on the final plan.
 - (ix) That the owner shall erect a sign in accordance with Section X of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (x) That Final Approval for this plan of subdivision not be given prior to the establishment of the Twenty Mile Creek Sanitary Trunk Sewer.
 - (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner providing for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-18), Thomas J. Cooper and Marjorie J. Cooper, owners, proposed draft plan of subdivision and that the City execute the agreement when said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

24. That leave be granted to introduce the following Bills:

- (a) Bill D-144 By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 956 Rymal Road East.
- (a) Bill D-145 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the East Side of Upper Wentworth Street Between Stone Church Road East and Rymal Road East.
- (b) Bill D-146 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1198 Stone Church Road East.
- (c) Bill D-147 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of Upper Sherman Avenue in the Area North of Limeridge Road East.
- (d) Bill D-148 By-law to Adopt Official Plan Amendment No. 53 Respecting Land Located at Municipal No. 418 Limeridge Road East.
- (e) Bill D-149 By-law to Change the Name of Aimee Avenue to Rockview Avenue, Fiona Court to Joseph Court, Greenguild Court to Francesca Court, Greencedar Court to Cedarlawn Court, Como Drive to Como Place.
- (f) Bill D-150 By-law to Repeal Zoning By-law No. 87-322 Respecting Lands Located on the South Side of Stone Church Road East, in the Area East of Upper Wellington Street.
- (g) Bill D-151 By-law to Amend Zoning By-law No. 6593 Respecting Lands located on the South Side of Stone Church Road East, in the Area East of Upper Wellington Street.
- *(h) Bill D-129 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1088 Main Street West.

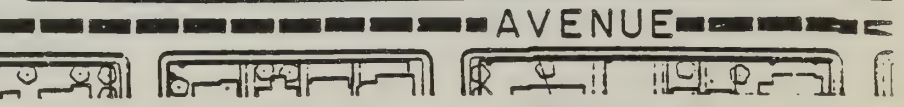
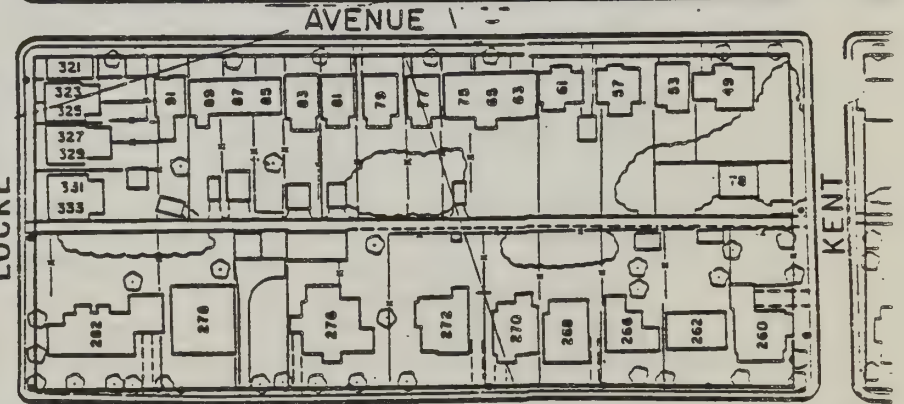
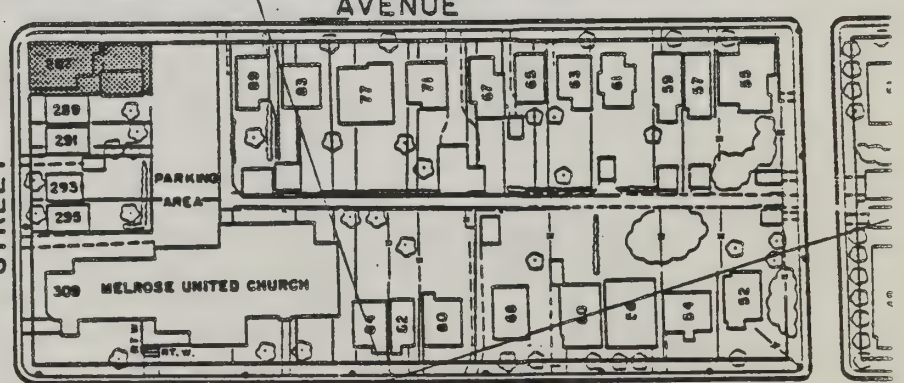
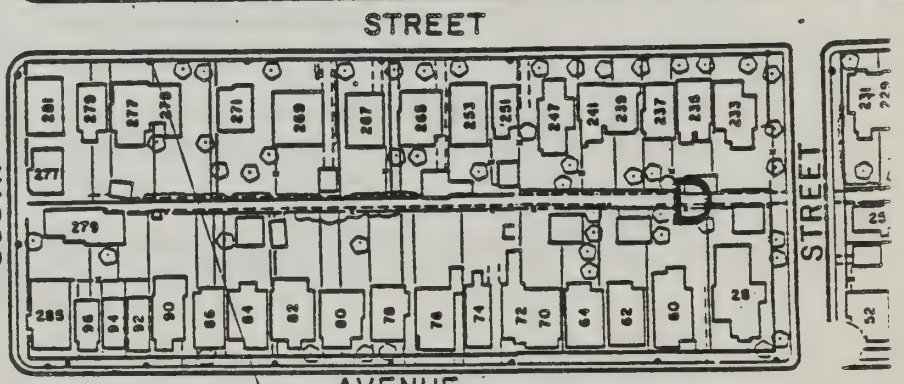
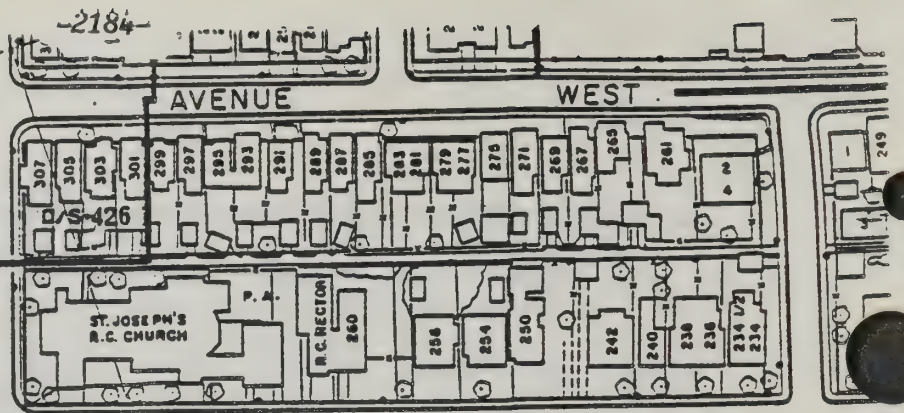
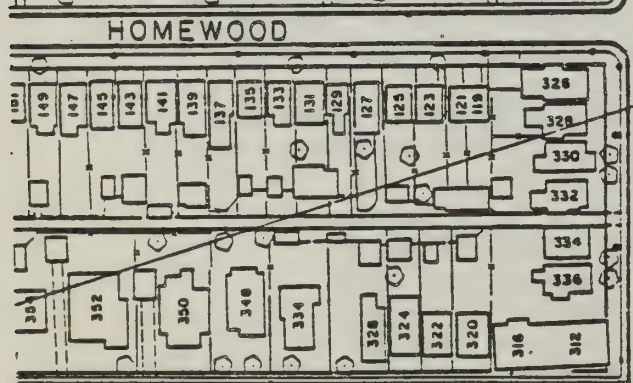
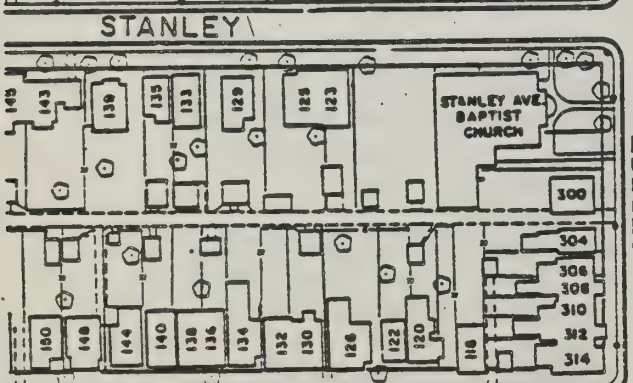
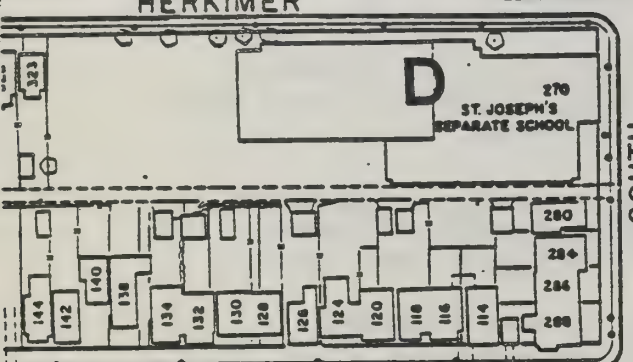
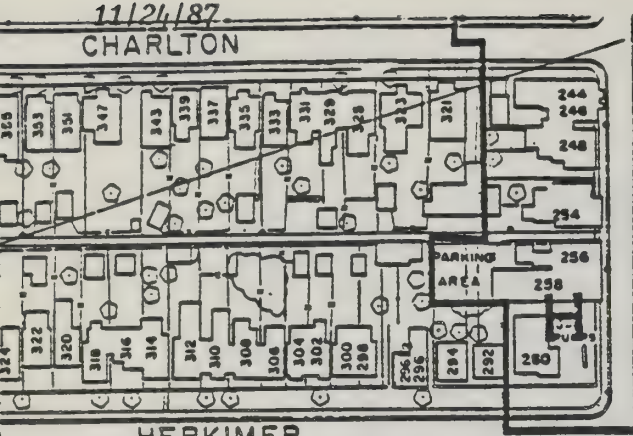
Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING & DEVELOPMENT COMMITTEE

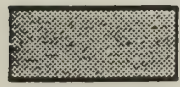
S. K. Reeder
Acting Secretary
1987 November 11

* Recorded Vote, see page 2141

11/24/87
CHARLTON



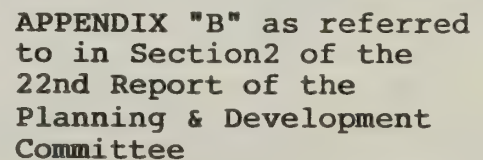
LEGEND



SITE OF THE APPLICATION

APPENDIX "A" as referred
to in Section 1 of the
22nd Report of the
Planning & Development
Committee



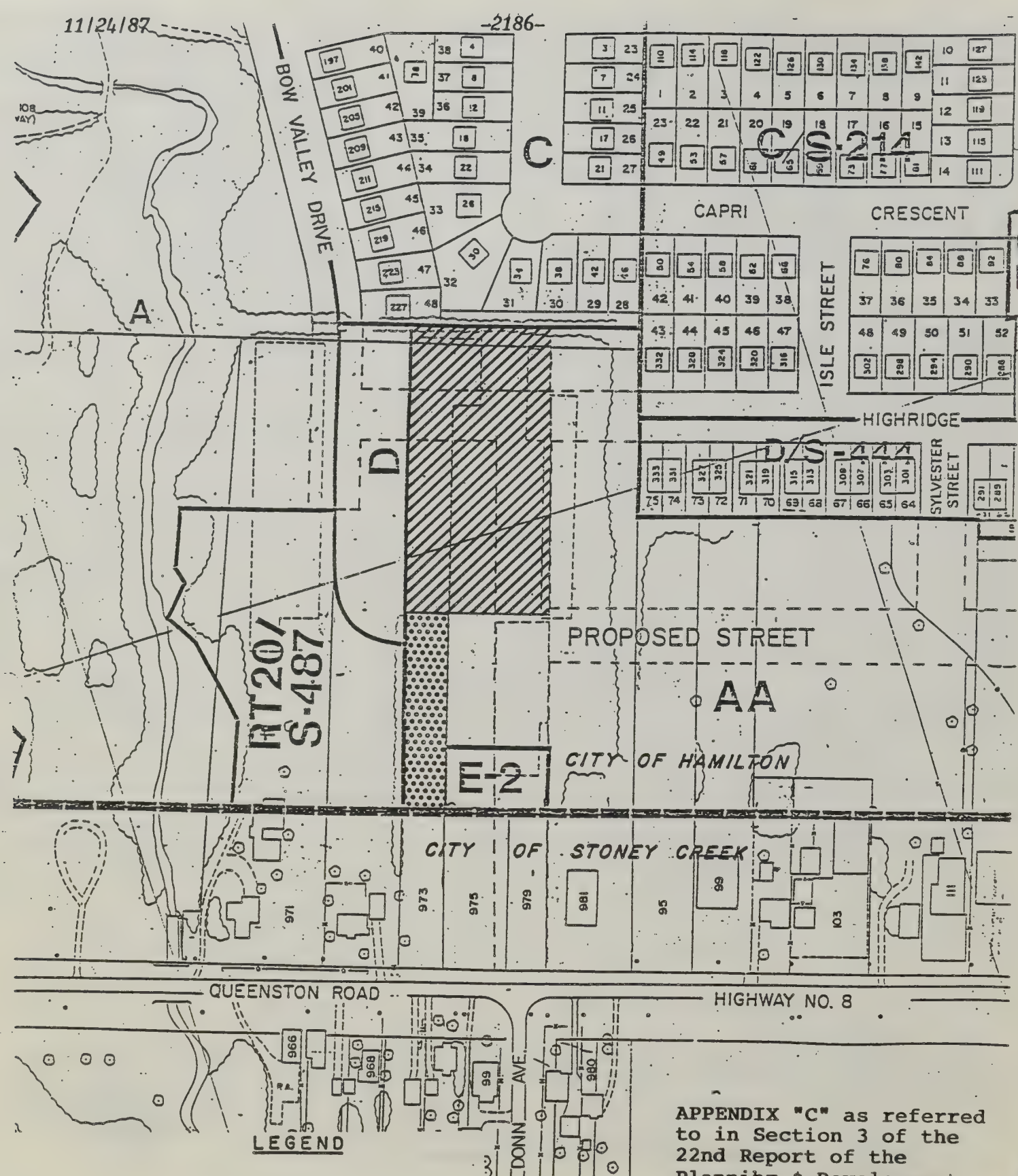


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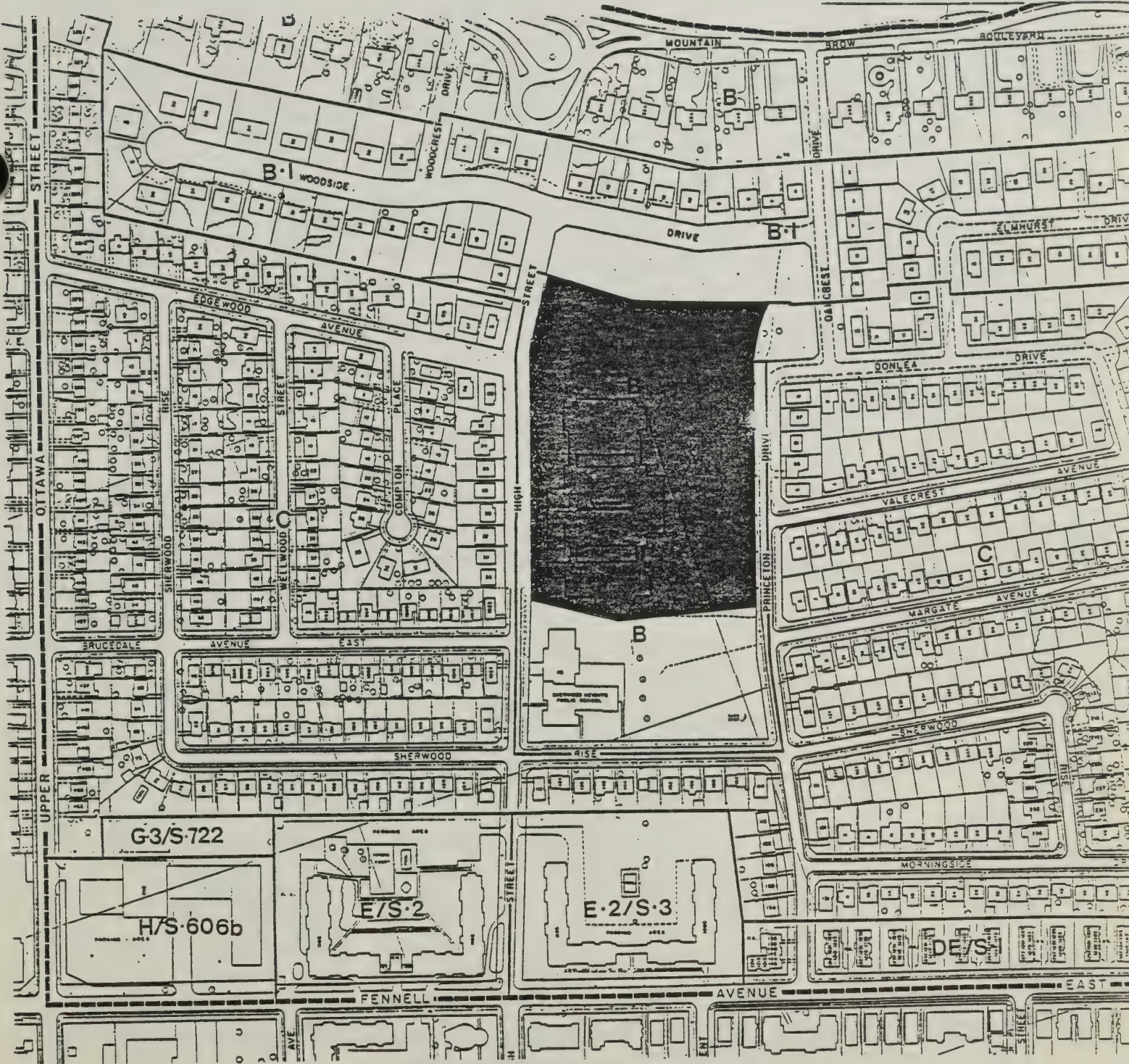
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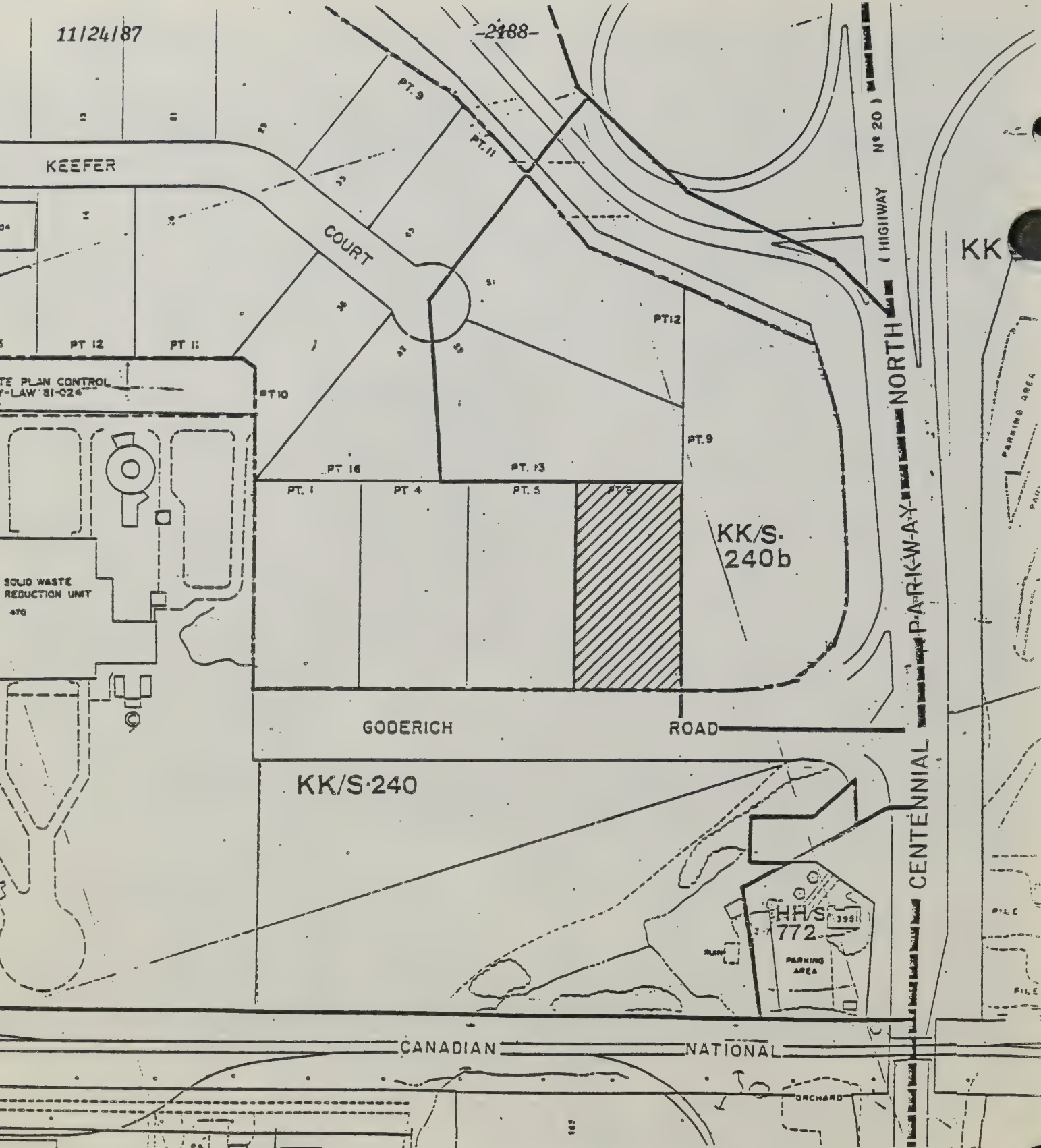


SITE OF THE APPLICATION



APPENDIX "D" as referred
to in Section 4 of the
22nd Report of the
Planning & Development
Committee

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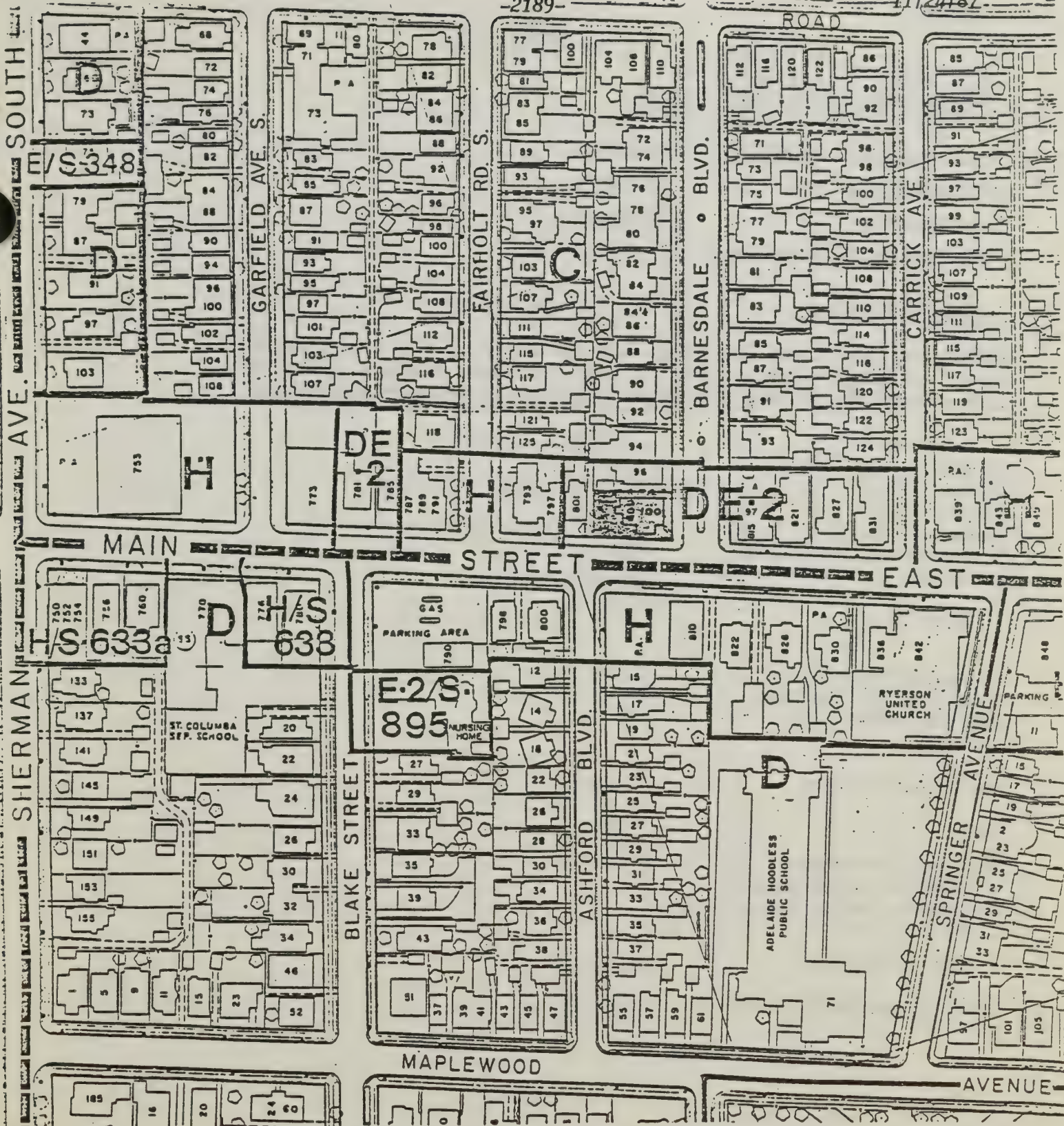


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SITE OF THE APPLICATION

APPENDIX "E" as referred
to in Section 5 of the
22nd Report of the
Planning & Development
Committee



LEGEND



SITE OF APPLICATION

APPENDIX "F" as referred to in Section 6 of the 22nd Report of the Planning & Development Committee

1986 Advertising/Promotion Budget

Total estimated budget =	\$70,000.00
15% contingency fee =	-10,500.00
Insurance fee =	<u>- 2,000.00</u>
1988 Promotions/Advertising	\$57,500.00

Estimated Expenses

Promotions/Promotional printing: Includes expenses for entertainment, sound, staging, balloons, posters, table rentals, banners, casual help. Also promotional printing of newsletters, notices, invites, ballots.

Consumer Show	=	500.00
Spring Sidewalk Sale	=	1500.00
Mother's Day	=	1000.00
Father's Day	=	1000.00
Summer in the City	=	5000.00
International Streetfest	=	5000.00
Christmas	=	<u>6000.00</u>
Promotions	=	\$20,000.00

Newspaper advertising	=	12,000.00
Cost of space for the year in Brabant and Spectator		.

Magazine/Directory	=	4,500.00
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Radio	=	4,000.00
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Creative/Coordinator	=	13,200.00
Writing and coordinating newspaper, radio, promotions, newsletter, etc.		

Artwork production	=	<u>3,800.00</u>
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Total Estimated Expenses	=	\$57,500.00
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APPENDIX "G" as referred to in Section 12 of the 22nd Report of the Planning & Development Committee

11/24/87

APPENDIX "H" as referred
to in Section 13 of the
22nd Report of the
Planning & Development
Committee

APPENDIX "A"

BARTON GENERAL COMMUNITY IMPROVEMENT

PROJECT AREA

COMMUNITY IMPROVEMENT PLAN

OCTOBER 1987

BARTON GENERAL COMMUNITY IMPROVEMENT PROJECT AREA

PURPOSE:

TO ESTABLISH A PLAN FOR THE BARTON GENERAL COMMUNITY IMPROVEMENT PROJECT AREA IN ORDER TO IMPLEMENT THE CORPORATION OF THE CITY OF HAMILTON'S COMMERCIAL FACADE LOAN PROGRAMME AND THE COMMERCIAL IMPROVEMENT PROGRAMME.

PREFACE:

THE WITHIN PLAN CONSTITUTES THE CORRESPONDING COMMUNITY IMPROVEMENT PLAN FOR THE BARTON GENERAL COMMUNITY IMPROVEMENT PROJECT AREA WHICH ALSO WILL BE DESIGNATED BY BY-LAW, BY THE CITY OF HAMILTON COUNCIL.

INTRODUCTION:

WARDS (2) AND (3) ARE REFERENCED IN THE OFFICIAL PLAN, BARTON STREET EAST IS ONE OF THE MAJOR CONTINUOUS COMMERCIAL STRIPS IN THESE WARDS. TO ENCOURAGE CUSTOMERS TO UTILIZE THIS SERVICE, BUFFER TREATMENT IN THE FORM OF PLANTERS, HANGING FLOWER BASKETS, BENCHES AND POSSIBLY BRICK PAVERS, ETC. SHOULD BE IMPLEMENTED. THE OFFICIAL PLAN STATES: "COUNCIL WILL UNDERTAKE TO KEEP IN A FIT AND WELL MAINTAINED CONDITION ALL MUNICIPAL PROPERTIES AND OTHER PUBLIC WORKS." (SUB-SECTION C.5, S.4). AN IMPORTANT ASPECT OF IMPROVING VISUAL APPEARANCE OF THIS AREA INVOLVES UPGRADING OF EXISTING BUILDING FRONTS, NOT ONLY FROM THE POINT OF VIEW OF STREETSCAPE, BUT ALSO A TOOL FOR MERCHANTS TO IMPROVE THEIR OWN IMAGES. SINCE THE AVERAGE AGE OF THE EXISTING BUILDINGS IS APPROXIMATELY (80) EIGHTY YEARS OF AGE, THERE IS A NEED TO ENCOURAGE INDIVIDUAL OWNERS OF BUILDINGS TO RENOVATE VIA STREETSCAPE AND AVAILABILITY OF LOANS AND GRANTS I.E. FACADE LOAN, LOW-RISE, CONVERT-TO-RENT PROGRAMMES, COMMERCIAL IMPROVEMENT PROGRAMME.

IN ADDITION TO INCREASING THE ATTRACTIVENESS AND COMMERCIAL VIABILITY OF THE AREA, THROUGH STREETSCAPE IMPROVEMENTS, RENOVATION WILL INCREASE THE UTILIZATION OF EXISTING BUILDINGS; PREVIOUSLY UNUSED SPACE CAN BE TRANSFORMED INTO OFFICE OR APARTMENTS, ADDING TO THE VARIETY AND SAFETY OF THE BARTON STREET EAST AREA. TOGETHER, PUBLIC AND PRIVATE EFFORTS WORK TOWARDS THE GOAL OF ESTABLISHING AN ATTRACTIVE AND ECONOMICALLY HEALTHY SHOPPING AND MULTI-FUNCTIONAL CENTRE FOR THE BARTON STREET, NORTH-EAST AREA OF HAMILTON.

AS WELL, THE CITY OF HAMILTON BY BY-LAW #87-178 PASSED THE 23RD DAY OF JUNE, 1987 ADOPTED A BUSINESS IMPROVEMENT AREA FOR BARTON STREET EAST FROM WELLINGTON TO WENTWORTH STREETS, WHICH IS SIMILAR, IN AREA, TO THE COMMUNITY IMPROVEMENT PROJECT AREA.

- 2 -

COMMERCIAL FACADE LOAN PROGRAMME BACKGROUND:

IN A REPORT SUBMITTED BY THE COMMUNITY DEVELOPMENT DEPARTMENT DATED 1985 DECEMBER 10 AND INCLUDED IN ITS CAPITAL BUDGET SUBMISSION, THE PLANNING AND DEVELOPMENT COMMITTEE APPROVED THE ESTABLISHMENT OF A NEW COMMERCIAL FACADE LOAN PROGRAMME. SUBSEQUENTLY, CITY COUNCIL GAVE THE DEPARTMENT OF COMMUNITY DEVELOPMENT AUTHORIZATION TO PROCEED WITH IMPLEMENTATION OF THE COMMERCIAL FACADE LOAN PROGRAMME BY ADOPTING ITEM 10 OF THE TWELFTH REPORT FOR 1986 OF THE PLANNING AND DEVELOPMENT COMMITTEE, 1986 JUNE 24.

THE BARTON GENERAL BUSINESS IMPROVEMENT AREA, DESIGNATED AS A COMMUNITY IMPROVEMENT PROJECT AREA UNDER SECTION 28 OF THE PLANNING ACT, 1983, ALONG WITH THIS COMMUNITY IMPROVEMENT PLAN, ENABLES THE COMMERCIAL FACADE LOAN PROGRAMME TO BE IMPLEMENTED. THIS PROGRAMME IS DESIGNED TO PROVIDE LOW INTEREST LOANS TO OWNERS OF COMMERCIAL PROPERTIES LOCATED WITHIN BUSINESS IMPROVEMENT AREAS (B.I.A.'S). THE MAXIMUM LOAN AMOUNT IS ESTABLISHED AT \$15,000 PER MUNICIPAL ADDRESS AT AN INTEREST RATE OF ONE-HALF THE RATE AT WHICH THE CITY COULD BORROW THE MONEY. THE LOANS WILL BE AMORTIZED OVER TEN (10) YEARS. THE ATTACHED APPENDIX "B" CONSTITUTES THE COMMERCIAL FACADE LOAN PROGRAMME GUIDELINES. SCHEDULE "A" IS A MAP OF THE COMMUNITY IMPROVEMENT PROJECT AREA, OR AREA OF IMPLEMENTATION.

COMMERCIAL IMPROVEMENT PROGRAMME BACKGROUND:

AT ITS MEETING HELD 1986, AUGUST 13, THE PLANNING AND DEVELOPMENT COMMITTEE REQUESTED THE DEPARTMENT OF COMMUNITY DEVELOPMENT TO UNDERTAKE THE PREPARATION OF A LONG TERM STRATEGIC PLANNING AND MANAGEMENT PLAN FOR EVALUATING FINANCIAL REQUESTS FOR ACTIVE AND FUTURE BUSINESS IMPROVEMENT AREAS (B.I.A.'S) IN THE CITY OF HAMILTON. SUBSEQUENTLY, ON 1986 SEPTEMBER 10, THE DEPARTMENT OF COMMUNITY DEVELOPMENT PROVIDED A FOLLOW-UP REPORT AND CAPITAL BUDGET SUBMISSION ADDRESSING THE COMMERCIAL IMPROVEMENT PROGRAMME. ON 1987 JANUARY 29, CITY COUNCIL APPROVED THE DEPARTMENT OF COMMUNITY DEVELOPMENT'S CAPITAL BUDGET SUBMISSION OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000) PER YEAR FOR THE NEXT FIVE (5) YEARS FOR A TOTAL OF TWO MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000), FOR THE COMMERCIAL IMPROVEMENT PROGRAMME. CITY COUNCIL, AT ITS MEETING HELD 1987 MAY 26, ADOPTED ITEM #1 FROM THE 12TH REPORT OF THE EXECUTIVE COMMITTEE FOR 1987, RECOMMENDING THAT THE COMMERCIAL IMPROVEMENT PROGRAMME BE PROCEEDED WITH AT AN ESTIMATED GROSS COST OF TWO MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000). BETWEEN FEBRUARY AND MAY OF 1987, SUBMISSIONS WERE ACCEPTED FOR THE PROGRAMME FROM ALL ELIGIBLE B.I.A.'S.

PRESENTLY, THERE ARE SIX (6) B.I.A.'s IN THE CITY OF HAMILTON:
I) INTERNATIONAL VILLAGE; II) OTTAWA STREET; III) WESTDALE
VILLAGE; IV) DOWNTOWN PROMENADE; V) JAMESVILLE; AND VI)
CONCESSION STREET. OTHER B.I.A.'s ARE EXPECTED TO BE FORMED OVER
THE NEXT FIVE (5) YEARS; HOWEVER, THEY WILL NOT BE ELIGIBLE FOR
THE COMMERCIAL IMPROVEMENT PROGRAMME UNTIL THEY HAVE BEEN IN
EXISTENCE FOR AT LEAST ONE (1) YEAR.

THE BARTON GENERAL B.I.A. WILL, THEREFORE, BE ELIGIBLE TO MAKE
SUBMISSIONS TO THE CITY OF HAMILTON IN 1988. ATTACHED AS
SCHEDULE 'C' IS THE COMMERCIAL IMPROVEMENT PROGRAMME AND
SELECTION CRITERIA.

NOTE: Schedule "C" is available from the
Acting Secretary upon request

CONCLUSION:

THE COMMUNITY IMPROVEMENT PLAN IS INTENDED TO BE ACTION ORIENTED, CONCENTRATING ON REHABILITATION OF EXISTING BUILDING FRONTAGES, RATHER THAN REDEVELOPMENT OR LARGE SCALE IMPROVEMENTS. OTHER IMPROVEMENT CHANGES WOULD INCLUDE MAINTENANCE AND CAMOUFLAGING OF UTILITY SERVICES AS STATED IN THE OFFICIAL PLAN: "UTILITY SERVICES SHOULD BE CAMOUFLAGED, AND IF APPROPRIATE, PLACED UNDERGROUND (SUB-SECTION B.4,4.3). THE BEST APPROACH TO REVITALIZATION AND ENHANCEMENT OF BARTON STREET'S ROLE IN THE COMMERCIAL HIERARCHY OF THE CITY, IS TO RECOGNIZE THE INTER-RELATIONSHIP BETWEEN BUILDING FACADE STREETSCAPE DESIGN AND MARKETING STRATEGY. WITH THIS IN MIND, THE COMMUNITY IMPROVEMENT PLAN IS FORMULATED WITH A VIEW TO BALANCING THE INTER-RELATED CONCERNS.

11/24/87

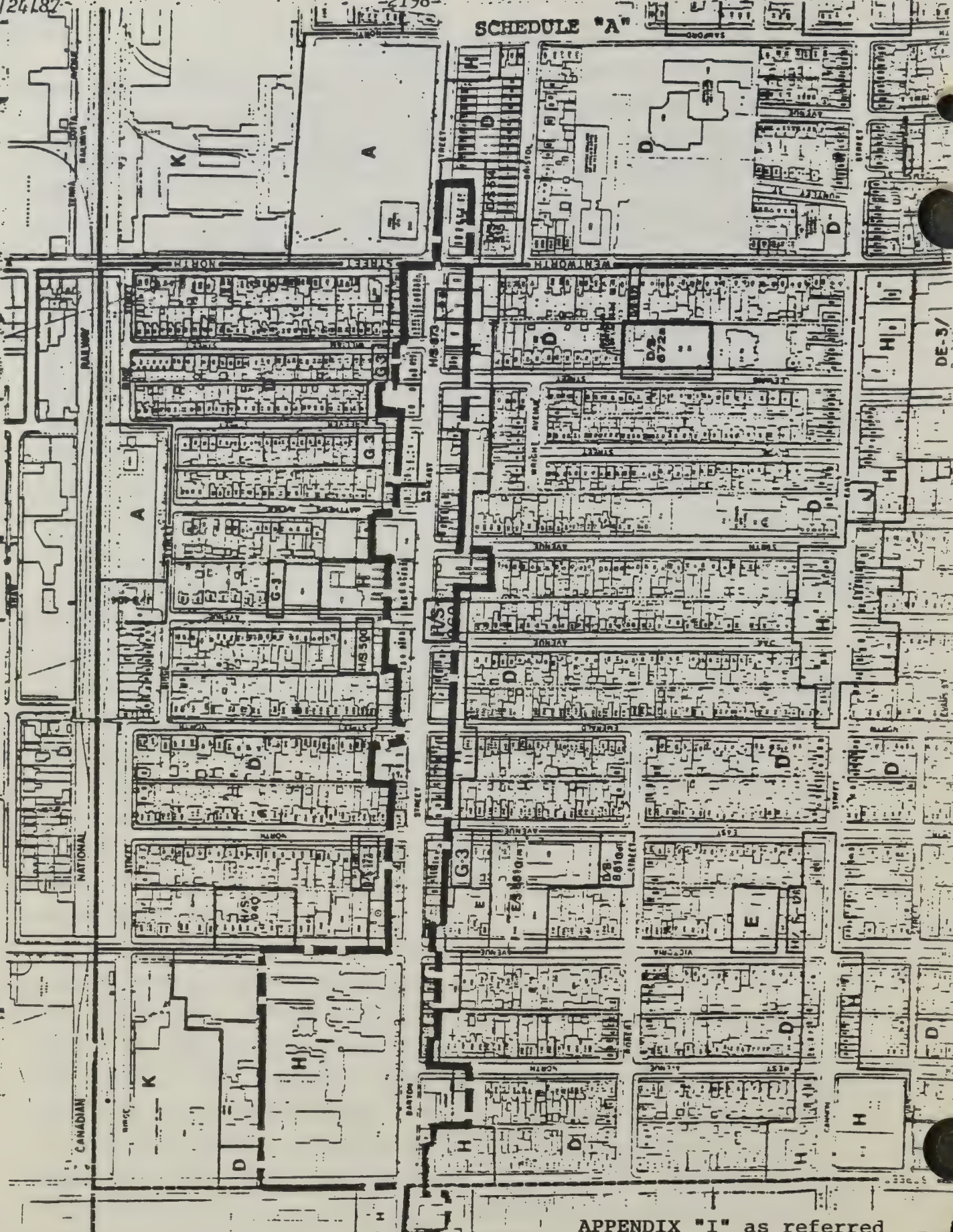
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GUIDELINES

- LIMITED TO BUSINESS IMPROVEMENT AREAS (B.I.A.'s).
- ALL LOANS AT AN INTEREST RATE HALF OF THE CITY'S PRIME BORROWING RATE.
- MAXIMUM LOAN AMOUNT \$15,000. FOR FACADE AND EXTERIOR RENOVATION.
- MAXIMUM LOAN FOR FACADE \$10,000.
- LOAN AMORTIZED OVER TEN YEARS (OPEN).
- THE BUILDING ENVELOPE WOULD BE INSPECTED, INCLUDING EXTERIOR SHELL (FOUNDATION, EXTERIOR WALLS, ROOF, FIRE ESCAPES AND CHIMNEYS). ANY DEFICIENCIES WOULD HAVE TO BE CORRECTED BEFORE FACADE IMPROVEMENTS (STORE FRONTS, AESTHETICS, SIGNAGE, ETC.) WOULD BE CONSIDERED.
- LOAN SECURED BY LIEN ON TITLE.. PROFESSIONAL FEES (ARCHITECTS, ENGINEERS, APPRAISERS, SOLICITORS, ETC.) ELIGIBLE EXPENSE.
- OWNERS ONLY COULD MAKE LOAN. HOWEVER, TENANTS COULD WORK WITH LANDLORDS, BUT LANDLORD MUST TAKE THE FINANCIAL COMMITMENT.
- EQUITY MUST BE SUFFICIENT TO COVER OUTSTANDING PROPERTY COMMITMENTS INCLUDING CITY LIEN.
- REPAYMENT WILL BE ON A MONTHLY BASIS BUT OPEN TO FULL REPAYMENT AT ANY TIME AT NO PENALTY.
- ALL MONEY COLLECTED ON REPAYMENT TO BE PLACED IN A RECYCLABLE ACCOUNT TO CONTINUE PROGRAMME AFTER ORIGINAL CAPITAL BUDGET ALLOCATION.
- MAXIMUM LOAN TO ANY ONE OWNER \$50,000.
- UNIT ELIGIBILITY WILL BE BASED ON LATEST REVISED BUSINESS ASSESSMENT ROLLS.
- LOANS TRANSFERABLE TO NEW OWNER PROVIDING NEW OWNER MEETS AND AGREES TO TERMS AND CONDITIONS OF LOAN.
- THE OWNER WILL OBTAIN TWO ESTIMATES FOR BUILDING ENVELOPE BASED ON INSPECTION, AND TWO FOR FACADE IMPROVEMENTS WANTED BY OWNER. (THE BUILDING DEPARTMENT WILL APPROVE THE ESTIMATES BASED ON THEIR INSPECTION). A FULL REPORT WILL BE PREPARED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT INCORPORATING OUR RECOMMENDATIONS AND THE BUILDING DEPARTMENT'S. THESE, WITH THE APPLICATION, WILL THEN BE FORWARDED TO THE PLANNING AND DEVELOPMENT COMMITTEE AND CITY COUNCIL FOR APPROVAL.

- PROPERTY TAXES MUST BE CURRENT.
- IF COST OF FACADE IMPROVEMENT EXCEEDS \$1,000., THE OWNER WILL BE REQUESTED TO OBTAIN THE SERVICE OF A DESIGN CONSULTANT TO ENSURE COMPATIBILITY WITH THE SURROUNDING PROPERTIES. ANY COST FOR THIS SERVICE WILL BE ELIGIBLE FOR FUNDING UNDER THE PROGRAMME.
- ONLY COMPLETED WORK WHICH HAS BEEN INSPECTED WILL BE PAID FOR.
- EXTERIOR REHABILITATION WORK WILL, IF AT ALL POSSIBLE, BE DONE FIRST BEFORE FACADE IMPROVEMENT.

SCHEDULE "A"



APPENDIX "I" as referred
to in Section 13 of the
22nd Report of the
Planning & Development
Committee

- 1(a) -

6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 12,000 square feet, upon the hereinbefore described land by not later than July 26, 1988

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than July 26, 1989

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Continued.....1(b)

- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.
- 6.6 With respect to Lot 43's 197 foot frontage on Lancing Drive, the Purchaser of Lot 43 acknowledges:
 - (a) that the portion of Lancing Drive adjacent to and in front of the Easterly 70 feet, more or less of the Lot 43's frontage on Lancing Drive is, at this time, an unimproved steep hill in no condition whatsoever (neither graded, gravelled nor paved) so as to permit any vehicular or pedestrian movement to or from the Easterly 70 foot frontage, more or less of Lot 3 and Lancing Drive;
 - (b) that due to this condition of the said 70 foot portion more or less of the adjacent Lancing Drive that the City may, in its discretion, now or in the future, decide to stop-up, close, retain and/or dispose of that unimproved portion of Lancing Drive; and,
 - (c) that until the privately owned land lying to the East of the Easterly dead-end limit of Lancing Drive is acquired and/or dedicated to the City and assumed by the City of highway purposes so as to permit the extension of Lancing Drive including the grading and surfacing of the portion thereof in front of and adjacent to the Easterly 70 foot frontage more or less of Lot 43: (i) that it is uneconomic for the City to grade, surface or keep in repair, the said Easterly 70 foot portion, more or less of Lancing Drive;
(ii) that Lot 43 is being sold to him for the sale price herein and on the other terms hereof on this understanding; and,
(iii) the Purchaser hereby agrees that he will not and shall not require for access to his Lot 43, any portion of the said Easterly 70 feet, more or less of Lancing Drive.

- 1(a) -

6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- ~~(i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;~~
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

- 1. That the transferee shall commence construction of a building, having a minimum building area of 22,000 square feet, upon the hereinbefore described land by not later than September 28th, 1988

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

- 2. That the transferee shall complete construction of the said building by not later than September 28th, 1989.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

- 3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Continued.....1(b)

- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

- 1(a) -

- 6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:
- (a) to pay municipal, realty and business taxes;
 - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
 - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
 - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
 - (e) to pay building permit application fee;
 - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
 - (g) to pay for the connection of all utilities to the premises;
 - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
 - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
 - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:
- 1. That the transferee shall commence construction of a building, having a minimum building area of 17,000 square feet, upon the hereinbefore described land by not later than September 29, 1988
- Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2. That the transferee shall complete construction of the said building by not later than September 29, 1989 .
- The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Continued.....1(b)

- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

* REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWENTY-THIRD Report for 1987 and respectfully recommends:

1. That the Hamilton Beach Concept Plan, Final Report, September 1987, prepared by Moore/George Associates Inc., Landscape Architects, BE APPROVED, in principle.

NOTE: For the information of the members of City Council, the Planning and Development Committee has agreed that the Beach Steering Committee should continue to meet in order to oversee the implementation of the Concept Plan.

For the further information of the members of City Council, staff have been directed to prepare a Neighbourhood Plan for the Hamilton Beach.

Copies of the Plan were distributed previously to the members of the Planning and Development Committee. Copies are available from the Secretary.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING & DEVELOPMENT COMMITTEE

Susan K. Reeder
Acting Secretary
1987 November 24

- * TWENTY-THIRD Report of the Planning and Development Committee added during Council.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its ~~EIGHTEENTH~~ Report for 1987 and respectfully recommends:

- * 1. That the Regional Municipality of Hamilton-Wentworth be requested to pay 50% of the City of Hamilton's cost of providing administrative support services to the City of Hamilton Aldermen. This cost sharing would reflect the work done on Regional business.

Note: The Finance Committee at its Special Strategy Meeting on the 1988 Budget which was held 1987 October 30th, requested the Legislation Committee to review the possibility of charging the Region for the support services provided by the secretarial staff of the Legislative Division on Regional business on a full cost basis, and report the cost saving to be gained.

The Legislation Committee at their meeting held 1987 November 16th endorsed the principle of charging the Region for the cost of the Aldermen's support staff working on Regional business.

- 2. That the request of the Director of Income Maintenance, Regional Social Services, to have Santa and his elves canvas City Hall staff on Thursday, 1987 December 3rd for donations to the Salvation Army Christmas Toy Bureau, be approved.

Note: Candy Canes will be sold for \$1 each for this donation campaign.

- 3. That the request of the Hamilton Wentworth Children's Aid Society to erect a Christmas Tree on the first floor of City Hall for the purpose of fundraising for the Children's Fund, be approved.

Note: The theme of the tree will be "Christmas is for Children" and a box will be secured at the base of the tree for donations. This is the first venture of this concept by the Society, and corporate sponsors are now being requested to help with the running of this Project on an annual basis.

* Section 1 Amended to read:

- 1. That the Region's Legislation Reception Committee be requested to consider a mechanism allowing municipalities to charge back some of the support costs for Regional Councillors' work.

11/24/87

4. That approval be given to the action of the Legislation Committee in granting civic silver pins to the members of the West Mountain Baseball Association for their recent win as All-Ontario Provincial Triple A Bantam Champions.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

S. K. Reeder, Secretary
1987 November 16

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its SIXTEENTH Report for 1987 and respectfully recommends:

1. Approval of the following changes in the staff complement of the Department of the Director of Property:

- (a) The deletion of the position of Chief Property Officer, Salary Schedule "K", \$36,575.24 - \$43,053.92 per annum. This deletion to take effect on the retirement of the incumbent.
- (b) The replacement of the above position with a Senior Property Officer/Appraiser, Salary Schedule "A 15", \$32,999.72 - \$37,760.32 per annum.

Note: The above will reflect savings from \$5,600 to \$10,900.

- 2. (a) That effective upon approval of City Council, the benefit package for Hamilton City Council Members be updated to include the increased benefits approved for employees covered by the Collective Agreement entered into by The Corporation of the City of Hamilton and Local 167, C.U.P.E.
- (b) That in the future, when an enhanced benefit package is approved by City Council for Local 167, C.U.P.E., those enhanced benefits shall be automatically passed on to Hamilton City Council Members, provided that such benefits are allowed to Hamilton City Council Members under the terms of the plans.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT SECTION 2 BE REFERRED BACK TO THE PERSONNEL COMMITTEE FOR FURTHER REVIEW. CARRIED.

3. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1987 November 9, as set out on the list attached hereto as Schedule "A".

Respectfully submitted,

ALDERMAN M. KISS, CHAIRPERSON,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1987 November 18.

SCHEDULE "A"
THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

Referred to in Section 3 of the
Sixteenth Report of the Personnel
Committee.

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Jacinto Arruda	Labourer	Parking Authority	new position	B-2	\$408.61 per week	87/10/26
Mr. John Bliss	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Paul Bloomfield	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Fred Bouwmeester	Equipment Mechanic II	Central Garage Division of Public Works	replacing Mr. F. Franchi - resigned	D-11	\$11.907 per hour	87/10/26
Mr. Gregory Brown	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Peter Christie	Foreman II - Horticulture	Parks Division of Public Works	replacing Mr. P. Booker - promoted	12C	\$27,862.12 per annum	87/10/13
Mr. Derek Churm	Lieutenant	Fire	replacing Mr. R. E. Bell - promoted	C-7	\$42,193.25 per annum	87/10/25
Mr. Steven Clarke	Traffic Serviceman II	Traffic	replacing Mr. M. Cosentino - promoted	A-3	\$379.13 per week	87/10/27

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Diane Collins	General Assistant (Curatorial)	Culture and Recreation	new position	K-8	\$9,500 per hour	87/09/29
Mr. Steve Cowle	Lead Hand (Trees)	Public Works	replacing Mr. F. Lalonde - transferred	D-11	\$12,107 per hour	87/10/05
Mr. Dean Crabbe	Traffic Serviceman II	Traffic	additional staff	A-3	\$379.13 per week	87/11/02
Ms. Maryann de Gooyer	Stenographer IV	Public Works	returning to permanent position	E-2	\$326.45 per week	87/10/26
Ms. Gloria Dewey	Control Room Clerk	Parking Authority	new position	PA6	\$318.24 per week	87/10/13
Mr. Enio DiNardo	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Ms. Sharon Dion	Historical Interpreter	Culture and Recreation	replacing Ms. Diane Collins - promoted	DC-3	\$6,319 per hour	87/10/19
Mr. Gunter Dohnt	Roller Operator	Public Works	replacing Mr. J. Short - retired	D-11	\$12,107 per hour	87/09/21
Ms. Frances Donnelly	General Assistant (Curatorial)	Culture and Recreation	new position	GA	\$9,500 per hour	87/09/28

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Melvin Elzinga	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Dennis Farkas	Lieutenant	Fire	replacing Mr. D. Clark - promoted	C-7	\$42,193.25 per annum	87/10/25
Mr. Gerald Giles	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Martin Glavac	Lead Hand (Trees)	Public Works	replacing Mr. S. Magdic - promoted	D-11	\$12.107 per hour	87/10/05
Mr. Ross Ham mill	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mrs. Annie Holmes	Labour Relations Officer	Human Resources Centre	replacing Mr. J. Johnston - promoted	J	\$41,486.64 per annum	87/10/19
Mr. Kirby Klassen	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Dennis Kneisz	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Geoffrey Knowles	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Miss Karen Knox	Stenographer III	Building	additional staff	E-3	\$348.03 per week	87/10/13
Mr. Victor Koschanow	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Leonard Krawesky	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Randolph Lowell	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Daryl Lowry	Street Sweeper Operator	Public Works	replacing Mr. T. Rinaldo - transferred	D-9	\$11.715 per hour	87/09/09
Mr. John Manojlovich	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Trevor McAnuff	Chief Stage Electrician	Hamilton Place Division of H.E.C.F.I.	replacing Mr. T. Taylor - resigned	J1H	\$41,121.60 per annum	87/10/04

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Margaret Mogford	Receptionist/Typist	Convention Centre Division of H.E.C.F.L.	additional staff	5	\$16,511.04 per annum	87/10/05
Mr. Donald Morrow	Zoning Examiner & Code Correlator	Building	additional staff	A-10	\$624.08 per week	87/10/05
Mr. Mark O'Hoski	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. William Olmsted	Street Sweeper Operator (Nights)	Public Works	replacing Mr. B. Vukmanich - transferred	D-9	\$11.715 per hour	87/10/12
Mr. Jonathan Price	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Kevin Purcell	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mrs. Zeltite Race	Stenographer I	Building	replacing Mrs. B. Spolnik - promoted	E-5	\$424.55 per week	87/10/19
Ms. C. Jean Sinclair	Historical Interpreter	Culture and Recreation	replacing Ms. K. Mulligan - resigned	DC-3	\$6.319 per hour	87/10/19

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS**

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Mark Stevens	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. John (Todd) Turner	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Ms. Monique Vandeworp	Control Room Clerk	Parking Authority	new position	PA6	\$318.24 per week	87/10/13
Mr. Pasquale Vigna	Traffic Serviceman II	Traffic	replacing Mr. G. Manning - promoted	A-3	\$379.13 per week	87/11/02
Mr. Shawn Vint	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. David Walker	Traffic Serviceman II	Traffic	additional staff	A-3	\$379.13 per week	87/10/27
Mr. Kenneth Weiler	Probationary Firefighter, 1st 12 months	Fire	replacing Mr. J. Harvey - resigned	N1	\$27,300.50 per annum	87/10/05
Mr. Ronald Wilson	Finance Officer	H.E.C.F.I.	new position	11	\$24,348.48 per annum	87/10/05
Mr. James Whittle	Probationary Firefighter, 1st 12 months	Fire	replacing Mr. J. Gerry - retired	N1	\$27,300.50 per annum	87/10/05

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Randolph Wiepjes	Probationary Firefighter, 1st 12 months	Fire	replacing Mr. D. Gilt - retired	N1	\$27,300.50 per annum	87/10/85
Mr. John Zellmann	Probationary Firefighter, 1st 12 months	Fire	replacing Mr. A. Tinson - retired	N1	\$27,300.50 per annum	87/10/85

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Horace Curtis	Foreman II (Sanitation)	Public Works	retirement	35 years & 5 months	87/09/30
Mr. Scott Dodson	Turf General Foreman	Parks Division of Public Works	resigned	5 years & 7 months	87/11/06
Mrs. Evelyn Gallaher	Information Clerk	City Clerk's	retirement	22 years & 6 months	87/11/30
Mr. James Gerry	Firefighter I	Fire	retirement	32 years & 10 months	87/11/01
Mrs. Elizabeth Bilobrk	Stenographer I	City Clerk's	resigned	9 years	87/10/30
Mrs. Patsy Morgan	Sales Executive	Hamilton Convention Centre Div. of H.E.C.F.L.	resigned	4 years & 8 months	87/10/26
Mrs. Mary Rowles	Demonstrator	Culture and Recreation	resigned	9 years & 11 months	87/10/09
Mr. Thomas Taylor	Chief Stage Electrician	Hamilton Place Division of H.E.C.F.L.	resigned	14 years & 2 months	87/09/16
Mrs. C. Lauretta Yates	Historical Interpreter	Culture and Recreation	resigned	3 years & 11 months	87/10/05

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. John Avery	Acting Manager of Purchasing (temporary)	Purchasing Div. of Treasury	replacing Mr. T. Bradley - off sick	LS	\$43,450.68 per annum	87/10/19
Mrs. Deborah Bourque	Clerk III - Printing & Mailing (temporary)	City Clerk's	replacing Ms. L. Everets - promoted	E1	\$333.48 per week	87/10/19
Ms. Lynda Everets	Microfilm Technician I (temporary)	Treasury	replacing Mrs. C. Rising - off sick	E-2	\$351.68 per week	87/10/05
Mr. Randy Guenther	Foreman II (Cleaning Operations-Nights) (temporary)	Public Works	replacing Mr. L. Torresin - promoted	12C	\$27,862.12 per annum	87/10/13
Mr. Brad Park	Motor Mechanic (temporary sick relief)	Central Garage Div. of Public Works	replacing Mr. J. Peachey - off sick	D-17	\$14.157 per hour	87/10/06
Ms. Carol Sindall	Lifeguard I (temporary)	Culture and Recreation	replacing Ms. L. Royle - maternity leave	CH-5	\$357.72 per week	87/10/05
Mr. Steve Teal	Counter Clerk (temporary)	Building	replacing Ms. D. Minore - promoted	A-3	\$379.13 per week	87/10/13
Ms. Kathleen Wilson	Lifeguard I (temporary)	Culture and Recreation	replacing Ms. C. Gauthier - promoted	CH-5	\$357.72 per week	87/09/08

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Richard Vincent	Dispatcher (temporary On Call)	City Clerk's	replacing Mr. G. Ritchie - promoted	G-3	\$10.274 per hour	87/10/22

Prepared 1987 November 09

11/24/87

-2220-

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Suzanne Bullis	Museum Intern (temporary)	Culture and Recreation	completion of grant .	11 months	87/09/09

Prepared 1987 November 09

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its TWENTIETH Report for 1987 and respectfully recommends:

- * 1. That a one-time only grant in the amount of \$25 000. be made to Hamilton Wentworth Creative Arts Inc., to be used to assist in offsetting an operating deficit incurred during their current fiscal period, and that this amount be financed from the 1988 budget allocation for General Grants.

- 2. That a purchase order be issued to Provincial Traffic Signs, Port Perry, in the amount of \$11 898.40 including applicable taxes for the supply and delivery of Galvanized "U" Channel Posts for Purchasing Stores in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of seven (7) tenders received. Funds provided in Stores Inventory Account No. 0395-1023.

- 3. That the account of Terence A. Whelan dated January 6, 1987 in the amount of \$1 815. for services rendered on behalf of William Cockman be paid.

Note: Action was commenced against William Cockman, former Director of the Visitors' and Convention Bureau, by Daniel Kljajevich by Supreme Court of Ontario, Writ issued July 23, 1980. Mr. Kljajevich was the operator of an airport limousine taxi service (Casino Limousines) and claimed damages for conspiracy to injure him in his trade relations against Mr. Cockman, former Aldermen Frederick Lombardo, James Campbell and James Bethune, former airport manager Sidney Mitchell and former Mayor Jack MacDonald. City Council obtained Special Legislation to assume and pay all costs and legal expenses as may be incurred from time to time and the full amount of any judgment as may be awarded in these actions. Mr. Whelan acted for Mr. Cockman. As this matter has been completed, the Committee is recommending payment of his account in the amount of \$1 815.

4. That the lease with Ronald and Donna Side for City lands at 409 Queen Street South be terminated as of September 30, 1987 and that approval be granted to lease approximately 16 240 square feet of City lands at 409 Queen Street South to Murray, Joy and Richard Tonello for landscaping purposes.

The rental will be \$10. per year plus taxes commencing October 1, 1987 and the lease to be automatically renewed each year upon 30 days written notice by the Lessee.

The City Solicitor be authorized to prepare the necessary lease.

5. (a) That the Treasurer be authorized to implement the attached schedule of users fees for services performed by the Treasury Department, effective January 1, 1988.
- (b) That the City Solicitor be directed and authorized to prepare an amendment to By-law 71-69 to provide for an increase in the fee charged for the issuance of a Treasurer's Tax Certificate.

6. (a) That replacement computer tape drives be leased from Kompro Leasing of Markham, Ontario as follows:

One IBM 3803 - 2 Tape Control (used)	\$ 360. per month for 36 months
Two IBM 3420 - 8 Tape units (used)	\$ 262. per month for 36 months
One IBM 3480 A22 Tape Control	\$1 592. per month for 60 months
One IBM 3480 B22 Tape unit	\$ 953. per month for 60 months

Note: Monthly costs (including maintenance) represent a saving of \$383. per month as compared to the current units in service.

Funds are provided for in Account No. 0323-25-84 (Leasing). No additional funds are being requested.

- (b) That this agreement with Kompro Leasing be in a form satisfactory to the City Solicitor.
7. (a) That the Treasurer be authorized to report to the Federation of Canadian Municipalities (FCM) that an estimated additional federal sales in excess of \$2 000 000. may be borne by the municipal property tax base for City of Hamilton services only as a result of the proposed federal sales tax reform.

- (b) That the City of Hamilton re-affirm its support of the Federation of Canadian Municipalities in their efforts and meetings with Finance Minister Wilson to protect municipal interests by objections to the transfer of taxation to local governments and property tax by the proposed imposition of a multi-stage sales tax.
- (c) That this resolution be circulated to all local members of Parliament and members of the Legislative Assembly.
8. That the Treasurer be authorized to allocate funds from the Reserve for Replacement of Mobile Equipment, Account No. 0280-01 for the replacement of vehicles as summarized below.

<u>Section</u>	<u>Number of Vehicles</u>	<u>Estimated Amount</u>
Garage Pool	26	\$ 295 932.
Fire	3	140 000.
Parking		
Authority	1	18 000.
Public Works	36	2 521 800.
Traffic	<u>5</u>	<u>268 000.</u>
Total	<u>71</u>	<u>\$3 243 732.</u>

Respectfully Submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN
FINANCE COMMITTEE

John Thompson, Acting Secretary
November 17, 1987
mjlw

City of Hamilton
Treasury

SUMMARY OF PROPOSED USER FEES
TO BE CHARGED BY THE TREASURY DEPARTMENT
EFFECTIVE JANUARY 1, 1988

	<u>Level of Activity</u> (1)	<u>Present Fee</u> (2)	<u>1987 Projected Revenue</u> (3)	<u>Proposed Fee</u> (4)	<u>1988 Projected Revenue</u> (5)	<u>Increase in Revenues</u> (6)
Tax Certificates	15,000	\$ 7	\$105,000	\$ 10	\$150,000	\$45,000+
Local Improvement Enquiries	2,000	\$ 15	\$ 30,000	\$ 20	\$ 40,000	\$10,000+
Tax Registration	50	\$300	\$ 15,000	\$500	\$ 25,000	\$10,000+
Subdivision Compliance	2,000	-	<u>-</u>	\$ 15	<u>\$ 30,000</u>	<u>\$30,000+</u>
TOTAL			<u>\$150,000</u>		<u>\$245,000</u>	<u>\$95,000+</u>

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, DECEMBER 1, 1987
6:45 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship
Mayor Robert M. Morrow.

PRESENT: Alderman T. Murray, Acting Mayor.

Aldermen Valeriano, Hinkley, Copps, Christopherson, Wheeler,
Smith, Gallagher, Merling.

The Clerk read the notice calling the meeting.

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried,
that Council move into Committee of the Whole to consider the following
report, with Alderman Ross in the chair.

(E) LEGISLATION COMMITTEE - NINETEENTH REPORT.

Recorded vote on the report.

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano,
Hinkley, Christopherson, Wheeler, Smith, Gallagher,
Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole on the above report,
be adopted. -

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson,
Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bill be now read a first time.

E-26

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bill, with Alderman Ross in the chair.

E-56.

Consideration of the Bill (second reading).

Recorded vote on Bill E-56.

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bill be adopted. -

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bill be now read a first time.

E-56.

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

City Council adjourned at 7.55 p.m.

* * * * *

* REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its NINETEENTH Report for 1987 and respectfully recommends:

1. That Clauses (i) (ii) (iii) of Subsection 2 of Section 29 of Schedule 4, of By-law 85-57, which amended Licence By-law No. 79-323, be repealed and the following substituted:

- (a) For the first 1/8 of a kilometer or part thereof
.....\$ 2.00
- (b) For each additional 1/8 of a kilometer
.....\$.10
- (c) For waiting after engagement, for each 30 seconds
or part thereof after the first 30 seconds
.....\$.10

NOTE: For the information of the members of City Council, the Legislation Committee at their meeting held 1987 November 16th, requested information on what other municipalities are charging for taxi rates. The following are the rates presently in effect for:

Mississauga	- \$2.00	Flag	- \$.78	a kilometer
London	- \$1.55	Flag	- \$.90	a kilometer
Ottawa	- \$1.95	Flag	- \$.91	a kilometer
Toronto	- \$1.70	Flag	- \$.79	a kilometer
Windsor	- \$1.65	Flag	- \$.80	a kilometer

As can be seen from the above, the City of Hamilton is at the high end for the initial base charge. However, the City is presently the lowest at \$.70 for each kilometer travelled thereafter.

2. That leave be granted to introduce the following bill:
 - (a) Bill E-26 Taxi Cab Fare Increases.

Respectfully submitted,

Alderman D. Christopherson
Acting Chairman
Legislation Committee

Susan K. Reeder, Secretary
1987 November 30th

* Recorded Vote, see page 2225

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, DECEMBER 8, 1987
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Gallagher, Merling, Murray, Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

A Choir from Holy Resurrection Romanian Orthodox Church presented a programme of Christmas Carols from 7.15 p.m. to 7.30 p.m.

The Reverend Lloyd Brown of St. Giles United Church led the Council in prayer.

His Worship the Mayor conducted a short ceremony officially appointing Mr. Don Malena as the City of Hamilton's Town Crier.

The minutes of the meeting of November 24, 1987 and the special meeting of December 1, 1987, were taken as read and approved.

Alderman William McCulloch presented to the Mayor a picture of Colonel Thomas Taylor, the first President of the Town of Hamilton (Note: this is the equivalent to the office of Mayor).

Alderman D. Christopherson presented a verbal report on the status of negotiations with Theatre Aquarius.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter from Mr. C. K. Earle, General Manager, The Hydro-Electric Commission of the City of Hamilton, re cost of power increase effective January 1, 1988.

The Council concurred with the recommendation made by Alderman Hinkley that a letter be sent to The Hydro-Electric Commission expressing Council's concern over the fact that the proposed increase was in excess of the City's targeted 4.5% increase in the tax rate for 1988. Council also agreed with the suggestion that a representative of the Hydro be invited to attend a special meeting of the Executive Committee which is to be held on Thursday, December 10, 1988, to discuss this matter.

2. Application from Alfred Casale, appointed Power of Attorney, son Joseph Casale, 18 Isaac Court, Hamilton, Ontario, for a change in zoning, property located at the rear of lands on the west side of Upper Ottawa Street, dated November 24, 1987.

3. Application from B. G. Schickedanz Investments Limited, and 652921 Ontario Inc., 2180 Steeles Ave. West, Suite 300, Concord, Ontario, for a change in zoning, properties located at 1256 and 1532 Upper Gage Avenue, dated November 24, 1987.

12/08/87

-2230-

4. Application from Douglas Nash, 1394 Main St. East, Suite 2, Hamilton, Ontario, for a modification to the "HH" District regulations for property located at the north-east corner of Upper Paradise Road and Stone Church Road West, dated November 27, 1987.
5. Application from 591613 Ontario Inc., Karl VanderSchaaf, 153 Old Ancaster Road, Dundas, Ontario, for a modification to the "E" District regulations for property located at 13 McGill Street, dated November 26, 1987.
6. Application from First Pilgrim United Church, 200 Main St. East, Hamilton, Ontario, for a change in zoning, property located at the north-east corner of Ferguson Avenue and Jackson Street East, dated December 3, 1987.
7. Application from Montham Developments Ltd., 44 Holbrook Road, Hamilton, Ontario, for a change in zoning, property located at 203 Rymal Road West, dated December 3, 1987.
8. Application from Wentworth Condominium Corporation No. 46, 222 Jackson St. West, Hamilton, Ontario, for a modification to the "E-3" District regulations for property located at 222 Jackson St. West, dated December 7, 1987.
9. Application from Giuseppe Messina, 7 Lisa Court, Hamilton, Ontario, for a modification to the "AA" District regulations for property located at 18 Rymal Road West, dated December 8, 1987.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Christopherson, and carried, that Council move into Committee of the Whole to consider the following reports, with Alderman Cooke in the chair.

* * * * *

(A) EXECUTIVE COMMITTEE - TWENTY-FOURTH REPORT.

* * * * *

It was moved by Alderman Christopherson and seconded by Alderman McCulloch.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Conditions of Sale of the Former Bank of Montreal Building. - CARRIED.

* * * * *

It was moved by Alderman Christopherson and seconded by Alderman McCulloch.

RESOLVED: that the Offer to Purchase between the City and 708077 Ontario Ltd. respecting the sale of the Former Bank of Montreal Building at Main and James Streets be amended

so as to provide for the completion of the restoration of the Bank Building to be carried out by December 8, 1988.

NOTE: This amendment is in keeping with the intent of the original Offer to Purchase approved by City Council on April 14, 1987 which stipulates a construction and restoration of the Bank Building within 12 months of the date of closing of the transaction. Since the closing date of the original contract was extended from October 1, 1987 to December 9, 1987 for a variety of reasons, it is appropriate to extend the date upon which the restoration of the building must be completed. - CARRIED.

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Merling and seconded by Alderman Copps.

RESOLVED: that Section 9 be referred back. - CARRIED.

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Section 11 be amended by deleting the word "only" in Subsection (a) and, further, by substituting the word "either" for the words "the applicants" in Sub-Clause (ii) of Subsection (a). - CARRIED.

Alderman D. Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 16 as he works for the Company involved.

Recorded vote on Section 22.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

Recorded vote on Section 23.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

(D) PLANNING & DEVELOPMENT COMMITTEE - TWENTY-FOURTH REPORT.

Recorded vote on Section 3.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Gallagher, Ross. - 11.

NAYS: Aldermen Kiss, Copps, Merling, Murray. - 4. CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman Merling.

RESOLVED: that Section 24 be amended by adding the following as Subsection (g):

"(g) Bill No. D-158 By-law to Amend Tariff of Fees By-law No. 87-55 Respecting The Committee of Adjustment." - CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman Merling.

RESOLVED: that Section 24 be amended by adding the following as Subsection (h):

"(h) BillNo. D-159 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1088 Main Street West." -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Aldermen Kiss, Copps. - 2. CARRIED.

* * * * *

(E) LEGISLATION COMMITTEE - TWENTIETH REPORT.

It was moved by Alderman Ross and seconded by Alderman Merling.

RESOLVED: that Section 6 be amended by adding the following
as Subsection (c):

"(c) That the Clerk of the Regional Municipality
of Hamilton-Wentworth be notified that 'NO
SMOKING REGULATIONS' also apply to all
Regional meetings held in City Hall. - CARRIED.

(G) FINANCE COMMITTEE - TWENTY-FIRST REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Valeriano, Hinkley, Christopherson, Agostino, Gallagher,
Merling, Murray, Ross. - 13.

NAYS: Aldermen Copps, Wheeler. - 2. CARRIED.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano,
Hinkley, Copps, Agostino, Wheeler, Gallagher, Merling,
Murray, Ross. - 13.

NAYS: Aldermen Kiss, Christopherson. - 2. CARRIED.

Recorded vote on Section 3.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano,
Hinkley, Copps, Agostino, Wheeler, Gallagher, Merling,
Murray, Ross. - 13.

NAYS: Aldermen Kiss, Christopherson. - 2. CARRIED.

During debate on Section 4 a motion was put calling the
previous question.

12/08/87

-2234-

Recorded vote on calling of the previous question.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Valeriano, Hinkley, Copps, Agostino, Wheeler,
Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Christopherson. - 1. CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Ross.

RESOLVED: that Section 4 be amended by adding the word "suggested"
after the word "the" in the third line. - CARRIED.

(G) FINANCE COMMITTEE - TWENTY-SECOND REPORT.

It was moved by Alderman Wheeler and seconded by Alderman Ross.

RESOLVED: that the following be added as Section 2.

"2. That all items cut by the staff be listed.
That the costs for each item or service that
is cut be out alongside that item on the list
of cuts. - CARRIED.

It was moved by Alderman Christopherson and seconded by Alderman
Hinkley.

RESOLVED: that Alderman Wheeler's amendment be amended by adding
the following:

"and that all necessary material to allow for a line
by line review of all budgets be provided." -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Valeriano, Hinkley, Copps, Christopherson, Agostino,
Gallagher, Merling, Murray. - 13.

NAYS: Aldermen Wheeler, Ross. - 2. CARRIED.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Valeriano, Hinkley, Copps, Christopherson, Agostino,
Wheeler, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

NOTICE OF MOTION

Alderman D. Ross gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

"RESOLVED: that the mandate and reporting mechanism of all Independent Boards be reviewed."

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Christopherson.

RESOLVED: that Alderman Kiss be appointed Acting Mayor for the month of January, 1988. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Christopherson.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Christopherson.

RESOLVED: that the following Bills be now read a first time.

A-45,
B-96, B-97,
D-152, D-153, D-154, D-155, D-156, D-157, D-158, D-159,
E-27,
G-10 - CARRIED.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Christopherson, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Cooke in the chair.

A-45,
B-96, B-97,
D-152, D-153, D-154, D-155, D-156, D-157, D-158, D-159,
E-27,
G-10.

* * * * *

12/08/87

-2236-

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Christopherson.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Christopherson.

RESOLVED: that the following Bills be now read a third time..

A-45,
B-96, B-97,
D-152, D-153, D-154, D-155, D-156, D-157, D-158, D-159,
E-27,
G-10 - CARRIED.

* * * * *

City Council adjourned at 10.05 o'clock, p.m.

* * * * *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its TWENTY FOURTH Report for 1987 and respectfully recommends:

1. (a) That the construction of an independent concrete sidewalk on the north side of Barton Street East from Kenilworth Avenue to approximately 755m westerly as a local improvement pursuant to section 12 of The Local Improvement Act be proceeded with at an estimated owner's share of \$41 480.96 as well as the City's share of \$46 119.04 for a gross cost of \$87 600 as provided for in the Capital Budget.
- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval of this project at an estimated cost of owner's share of \$41 480.96 as well as the City's share of \$46 119.04 by the issuance of debentures totalling \$87 600 for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$87 600 for a term not to exceed 15 years for this project.
- (c) That the Commissioner of Engineering be authorized and directed to undertake this work on behalf of the City once all the necessary approvals have been received.

NOTE: The Transport and Environment Committee approved this project at its meeting held November 30, 1987.

2. (a) That the construction of an independent concrete sidewalk on the south side of Mohawk Road West between Upper Horning Road and the west City limits as a local improvement pursuant to Section 11 of The Local Improvement Act be proceeded with at an estimated owner's share of \$2 399.36 as well as the City's share of \$3 100.64 for a gross cost of \$5 500 as provided for in the Capital Budget.
- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval of this project at an estimated cost of owner's share of \$2 399.36, as well as the City's share of \$3 100.64, by the issuance of debentures totalling \$5 500 for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$5 500 for a term not to exceed 15 years for this project.

- (c) That the Commissioner of Engineering be authorized and directed to undertake this work on behalf of the City once all the necessary approvals have been received.

NOTE: The Transport and Environment Committee approved this project at its meeting held November 30, 1987.

3. Attached for the information of the Members of City Council, as Schedule "A" is a copy of a Summary of Capital Projects in Progress as at October 30th, 1987.

NOTE: Detailed reports relative to the specific projects are available from the Secretary, Executive Committee or the City Treasurer.

4. (a) That the position of Director of Community Development be reclassified to a Level "F" effective March 10, 1987 and that the incumbent, Mr. E. Kowalski be placed at a salary of \$56 430.00 (current salary of \$54 235.00).
- (b) That the position of Director of Property be classified at a Level "C", effective March 10, 1987 and that the incumbent Mr. D. W. Vyce be placed at a salary of \$68 239.00 (current salary of \$63 745.00).

NOTE: At the March 10, 1987 meeting of City Council, approval was given to the disbandment of the Architect's Department and the incorporation of the responsibilities and staff in the Real Estate (renamed the Property Department) and the Community Development Department.

A review of the revised duties of the positions, resulted in the above recommendation.

5. That leave be granted to introduce the following Bill:

- (a) Bill A-45 : A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

MAYOR R. M. MORROW, CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee

1987 December 03
/dg

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at October 30, 1987

Item No.	Project Description	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	
		Start	Finish				Yes or No	Budget
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
<u>General Administration</u>								
(1-50)								
1	Energy Conservation Program - 1983	07/83	12/87	200	176	24	Yes	Yes
2	Ceramic Belting Replacement and Window Repair - City Hall	01/85	06/87	40		40	<input checked="" type="checkbox"/> No	Yes
3	Energy Conservation Projects - City Hall	06/84	12/88	730	353	377	Yes	Yes
4	Capital Construction Grant - General Hospital	10/85	12/87	870	856	14	Yes	Yes
6	Major Maintenance to Civic Buildings	05/86	06/88	200	200		Yes	Yes
9	Treasury Department Computer Program - Data Base and Fourth Generation Language	09/86	12/89	550	55	495	Yes	Yes
10	Handicapped Access to Recreational Buildings	09/86	12/88	100		100	Yes	Yes
11	Energy Conservation Projects	05/86	12/88*	50		50	<input checked="" type="checkbox"/> No	Yes
12	Construction Costs/Accommodation Requirements - Aldermen's Offices	06/86	05/87	705	668	37	Yes	Yes
13	Construction Costs/Accommodation Requirements - City Hall	07/86	12/87	88	43	45	Yes	Yes
16	Summer's Lane and Plaza-Landscaping and Entrance Improvement			200				
17	Treasury Department - Computer Software	08/87	12/87	100		100	Yes	Yes
19	City Hall Computer Workstation Furniture	08/87	06/88	92	8	84	Yes	Yes
20	Energy Conservation to Civic Buildings			250				
21	Major Maintenance to Civic Buildings	11/87	12/88	250		250	Yes	Yes
22	Construction Costs - Accommodations - City Hall	11/87	12/88	454		454	Yes	Yes
23	Blue Boxes for Recycling Materials	08/87	12/88	632	346	286	Yes	Yes

City : Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at October 30, 1987

12/08/87

Item No.	Project Description	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	
		Start	Finish				Yes or No	Budget
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
<u>(51-100) Protection to Persons & Property</u>								
52	Fire Stn. E. Mountain - Limeridge Rd. & Upper Ottawa St./Construction	05/87	12/87	960	927	33	Yes	Yes
53	Fire Stn. E. Mountain, Limeridge Rd. & Upper Ottawa - Vehicle Purchase	06/86	11/87	275	258	17	Yes	Yes
54	Fire Stn. - Stone Chh Road & Upper Wellington/Land Acquisition	08/86	09/87	160	153	7	Yes	Yes
<u>(101-150) Department of Transportation</u>								
102	Land Acquisition - Fessenden & Gurnett Neighbourhoods	1986	1987	167		167	Yes	Yes
103	Road Access - Riverdale East Neighbourhood	08/86	10/88	377	16	361	<input type="checkbox"/> No	<input type="checkbox"/> No
105	Windermere Basin - Clean Up	11/87	04/89*	750		750	Yes	Yes
106	Roxborough Avenue Reconstruction	06/86	12/87	390	364	26	Yes	Yes
108	High Level Bridge Street Lighting	11/87	04/88*	155		155	Yes	Yes
<u>(201-250) Parking Authority</u>								
201	Victor K. Coppins Trade Centre/Arena Parking Facilities	02/84	Unknown	1,700	1,431	269	<input type="checkbox"/> No	Yes
202	Victor K. Coppins Trade Centre/Arena Parking Facilities Additional Costs	09/85	Unknown	590	263	327	<input type="checkbox"/> No	Yes
203	Parking Facility in Southeast Quarant	1986	Unknown	800			<input type="checkbox"/> No	Yes
204	Construction of Parking Garage - York Boulevard and MacNab Street	05/87	12/87	7,200	7,166	34	Yes	Yes
205	Land Acquisition and Development of Additional Parking Facilities in Various Locations	1987	Unknown	200				

-2240-

City of Hamilton
Treasury

12/08/87

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)

as at October 30, 1987

Item No.	Project Description	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target? Yes or No	
		Start (3)	Finish (4)				Construction (8)	Budget (9)
(251-300) Department of Public Works								
251	Replacement of Wentworth Street Steps - Lower Section	10/85	11/87	230	198	32	Yes	Yes
253	Addition/Alterations to Yard Bldg. Brampton St. Dist. Yard #3	12/85	11/87	293	293		Yes	Yes
254	Replacement of James Street Steps	05/86	12/87	300	190	110	Yes	Yes
255	Construction of Salt Dome - Chedoke Maintenance Depot	05/86	11/87	131	126	5	Yes	Yes
256	Centralized Computer Fuel System	05/86	11/87	300	227	73	Yes	Yes
257	Water Course Drop Structure - West of 350 Quigley Road	05/86	12/87	100	169	100	Yes	Yes
258	New Equipment Sanitation Division	04/87	12/87	180		11	Yes	Yes
259	Construction of New Mountain Public Works Yard	07/87	06/89	2,007	2	2,005	Yes	Yes
260	New Equipment Central Garage	04/87	10/87	68	64	4	Yes	Yes
261	New Equipment Sets Division	05/87	12/87	340	151	189	Yes	Yes
262	Construction of Salt Dome Districts 2 and 3	06/87	04/88*	310	137	173	NO	Yes
(301-350) Department of Culture & Recreation								
302	Parkland Acquisition Programme	01/85	Unknown	500	1	499	Yes	Yes
307	Bike Paths (Phase 1)	05/86	05/87	330	176	154	Yes	Yes
309	Construction of West Mountain Twin Arena - Mohawk and Upper Horning	Unknown	Unknown	6,605	185	6,420	NO	NO
310	Golf Cart Storage Facility - King's Forest Golf Courses	06/87	05/88	64		64	NO	Yes
311	Bike Paths (Phases 2, 3 & 4)	05/87	12/90	990	1	989	Yes	Yes
312	Renovations Artificial Ice Rink - Scott Park	06/87	12/87	350	14	336	NO	Yes
313	Hamilton Tennis Club - Improvements Court Lighting	06/87	08/87	50	41	9	Yes	Yes
314	Brian Timmis Stadium Parking	05/87	12/87	150	91	59	Yes	Yes

-2241-

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)

as at October 30, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed		Balance Available (7)	Is the Project on Target? Yes or No	
		Start (3)	Finish (4)		Committed (6)	Construction (8)		Budget (9)	
(351-400) Parks Division									
351	Ivor Wynne Stadium - Rehabilitation of N/S Stands - Press Boxes, Etc.	04/86	12/88	1,043	991	52	No	Yes	
352	Ivor Wynne Stadium - Rehabilitation of North/South Stands	04/85	06/88	625	358	267	Yes	Yes	
353	Mohawk Sports Park (Stage IV)	10/82	11/87	550	463	87	Yes	Yes	
354	Waterfront Parks Development - Study Phase	09/84	12/87	150	141	9	Yes	Yes	
355	Mohawk Sports Park (Stage V)	08/85	12/87	650	630	20	Yes	Yes	
356	Chedoke Golf Course Storage and Workshop	06/86	06/88	161		161	No	Yes	
357	Track Facility - Mohawk Sports Park	05/86	06/88	300		300	No	Yes	
358	Floodlight Fields - Mohawk Sports Park	10/86	10/87	120		120	Yes	Yes	
360	Waterfront Parks Development - Consulting Services	06/86	12/87	200	92	108	Yes	Yes	
362	Mohawk Sports Park (Stage VI)	06/87	08/88	520	39	481	Yes	Yes	
363	Mohawk Sports Park Construction of Utility Building	07/87	04/88	198		198	Yes	Yes	
364	Renovations - Bernie Arbour Stadium	10/87	06/88	342		342	Yes	Yes	
(401-450) H.E.C.F.I.									
401	Central Utilities Plant - New Equipment	05/85	12/87	316	303	13	Yes	Yes	
402	Victor K. Cops Trade Centre/Arena	08/83	12/91	41,429	40,149	1,280	Yes	Yes	
403	Automated Facilities Management Computer System	06/86	12/88	83	18	65	Yes	Yes	
404	Victor K. Cops Trade Centre/Arena Renovations	07/87	04/88	130	37	93	Yes	Yes	

-2242-

12/08/87

12/08/87

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at October 30, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Yes or No Construction (8)	Budget (9)
(401-450) <u>H.E.C.F.I. - Continued</u>								
405	Corporate Expense - Office Equipment	05/87	04/88	10	6	4	Yes	Yes
406	Corporate Expense - Equipment for Marketing Offices	05/87	03/88	23	19	4	Yes	Yes
407	Central Utilities Plant - New Equipment	06/87	04/88	237	93	144	Yes	Yes
(501-550) <u>Hamilton Public Library Board</u>								
501	Kenilworth Branch Renovations	05/86	10/87	471	429	42	Yes	<div>No</div>
502	Replacement - Specialized Office Equipment and Furnishings	08/87	12/87	107	45	62	Yes	Yes
503	Terryberry Library Addition - 2nd Floor	08/87	12/88	1,566	1	1,565	Yes	Yes
(601-650) <u>Planning</u>								
601	Enclaves Clearance	08/87	12/91	3,000	438	2,562	Yes	Yes
(651-700) <u>Hamilton Convention Centre</u>								
651	Hamilton Convention Centre Furniture & Equipment	06/86	03/88	62	54	8	Yes	Yes
652	Hamilton Convention Centre Fixture and Equipment	06/87	08/88	288	30	258	Yes	Yes

-2243-

City - Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at October 30, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Yes or No Construction (8)	Budget (9)
(701-750) Community Development Department								
701	Downtown Action Plan - Phase III B	07/86	12/87	1,300	1,223	77	Yes	Yes
702	Downtown Action Plan - Phase II	07/85	12/87	1,603	1,600	3	Yes	Yes
703	Downtown Action Plan - Gore Park Area & Extension	07/83	12/87	3,529	3,450	79	Yes	Yes
704	James St. North Streetscape	07/86	12/88	1,764	60	1,704	Yes	Yes
706	Downtown Action Plan - Phase IV	05/87	12/88	1,429	43	1,386	Yes	Yes
707	O.N.I.P. Corktown/Stinson	05/87	12/90	900	73	827	Yes	Yes
708	Facade Improvement Programme	07/87	12/90*	800	61	739	Yes	Yes
710	Downtown Action Plan - C.I.B.C.	09/87	12/87	80	9	71	Yes	Yes
711	Commercial Improvement Programme	06/87	12/91	2,500	7	2,493	Yes	Yes
712	P.R.I.D.E. Programme - Crown Point West/Stikeley - Phase II			2,000			No	
713	Streetscape Improvements - York Boulevard - MacNab To James Street	06/87	06/88	100	100		Yes	Yes
714	P.R.I.D.E. Programme - Crown Point West/Stikeley - Phase I	09/87	12/91	800		800	Yes	Yes

-2244-

12/08/87

1987 November 30
BLH/an

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **EIGHTEENTH** Report for 1987 and respectfully recommends:

1. That, in response to a request from the Board of Education for the City of Hamilton, for representation on the Transport and Environment Committee, the Board be advised that one (1) Board Staff member and one (1) Trustee will be invited to sit on the Transport and Environment Committee as non-voting representatives of their Board.

2. That a purchase order be issued to Niagara Paint & Chemical, Hamilton for the supply and delivery of Traffic Paint as and when required during 1988, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Traffic Paint White and Yellow - 205 L. containers - \$1.60/litre
- 20 L. containers - \$1.66/litre

NOTE: Lowest of four (4) tenders received. Funds provided in Pavement Markings Account #0394-3324.

3. (a) That Bruce Berglund Architect of Hamilton be retained for a maximum contract price of \$113 000 for full architectural and engineering services in the design, contract documentation, and administration of the construction contract for the new Public Works Yard and Building on Rymal Road; and
(b) That the Mayor and the City Clerk be authorized to execute the necessary agreement satisfactory to the City Solicitor and the Director of Property.

NOTE: This total is made up of \$97 000 for the fee, \$8 000 for the City of Hamilton insurance requirement of one million dollars, \$3 000 for expenses, and \$5 000 for contingencies. Funds are available in Account 0408-V7-289

4. (a) That eastbound traffic on Oakland Drive be required to stop for northbound and southbound traffic on Ellingwood Avenue; and

- (b) That a four-way stop control be implemented at the intersection of Walnut Street and Jackson Street East; and
 - (c) That the City Traffic By-law 66-100 be amended accordingly.
- 5.
- (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Karen Crescent commencing at a point 288 feet east of San Antonio Drive and extending to a point 168 feet easterly therefrom be extended, such that the regulation commences at a point 256 feet east of San Antonio Drive and extends to a point 200 feet easterly therefrom; and
 - (b) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Karen Crescent commencing at a point 69 feet east of San Antonio Drive and extending to a point 100 feet easterly therefrom be rescinded; and
 - (c) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Terrace Drive commencing at a point 315 south of South Bend Road East and extending to a point 240 feet southerly therefrom be rescinded; and
 - (d) That the City Traffic By-law 66-100 be amended accordingly.
- 6.
- (a) That the existing parking prohibition on the east side of Hughson Street South, commencing at a point 70 feet south of Haymarket Street and extending to a point 40 feet southerly therefrom be rescinded to allow the restoration of two parking meters; and
 - (b) That an "Alternate Side Parking" regulation be implemented on East 13th Street between Fennell Avenue East and Brucedale Avenue East such that parking is prohibited:
 - i. On the west side of the street during the months of December, January, February and March and from the 1st to 15th of April, May, June, July, August, September, October and November; and
 - ii. On the east side of the street from the 16th to the last day of the April, May, June, July, August, September, October and November; and

- (c) That a "Three Hour Parking Time Limit" regulation be implemented on West Avenue North between King William Street and Wilson Street in conjunction with the existing "Alternate Side Parking" regulation; and
 - (d) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m., Monday to Saturday" regulation on the south side of MacAuley Street commencing at James Street North and extending to a point 79 feet easterly therefrom, be extended such that it extends to a point 183 feet east of James Street North; and
 - (e) That a "No Parking Anytime" regulation be implemented on the east side of James Street North between MacAuley Street and a point 60 feet southerly therefrom; and
 - (f) That City Traffic By-law 66-100 be amended accordingly.
- 7.
- (a) That the existing residential boulevard parking agreement registered as Instrument No. 22625 C.D. to the property at No. 167 Ferrie Street East be discharged, at the property owner's expense; and
 - (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and
 - (c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement requiring that the property owner pay an annual charge of \$20 for encroachment insurance and administration, rather than carry the \$300 000 public liability insurance policy as previously required.
8. That the Application by Ciotti Insurance Brokers Limited to lease a portion of the boulevard of Huxley Avenue adjacent to 1359 Main Street East be approved, provided that:
- (a) The applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25, (current rate is \$100.00 per year), plus taxes, if any, in addition to the \$10.00 annual encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) The owner pay a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
 - (c) The owner complies with requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

- (d) The driveway approaches, parking areas, and other structures, as approved by the Director of Traffic Services be constructed and maintained at the owner's expense.
- (e) The owner executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

* 9. That the application by Angie's Tile Limited to lease a portion of the boulevard of Waverly Street adjacent to No. 425 Melvin Avenue be approved, provided:

- (a) The applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25, (current rate is \$50 per year), plus taxes, if any, in addition to the \$10 annual encroachment insurance charge approved by the City Council on 1984 February 14.
- (b) The owner pay a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
- (c) The owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of the road allowance for parking for parking purposes.
- (d) The driveway approaches, parking areas, and other structures, as approved by the Director of Traffic Services be constructed and maintained at the owner's expense.
- (e) The owner executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses, and loss.

10. (a) That the existing Residential Boulevard Parking Agreement between Najla Mady and the City, registered as instrument No. 387476 C.D. to the property at No. 16 Leeming Street be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.

* Section 9 Referred Back

11. That the following policy regarding the implementation of reserved permit parking spaces for handicapped residents be adopted:

- * (a) Individual Permit Parking spaces will be granted only when:
 - i. The applicant has a valid handicapped permit issued by the Commissioner of Social Services of the Regional Municipality of Hamilton-Wentworth; and
 - ii. On-street parking is permitted on the applicant's side of the street on a full-time basis; and
 - iii. A parking space can be provided which is entirely adjacent to the frontage of the applicant's property; and
 - iv. No alternative suitable parking spaces are available on the property; and
 - v. In the case of an alternate side parking street, a reserved space will be designated on both sides of the street such that the space will be available to the handicapped resident at all times of the year.
- (b) Following approval of the regulation by Committee and City Council:
 - i. The applicant must purchase a parking permit, at a cost of \$1 per month, payable in advance on an annual or semi-annual basis from the City Traffic Department, to exempt his or her vehicle from the signed "Permit Parking" regulation; and
 - ii. The applicant will be requested to advise the City if he or she re-locates so that the signs may be removed and parking for other motorists may be restored to the street.

12. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six applicants residing in the apartment building at No. 200 Park Street South.

* Section 11(a) Amended, see page 2255

13. That the following apartment building(s) be added to the collection of compacted waste service provided by the City of Hamilton, subject to compaction facilities being installed and operational:
- (a) 575 Queenston Road (231 units)
 - (b) 770 Queenston Road (214 units)
 - (c) 75 Barlake Avenue (303 units)
14. (a) That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Municipal Non-Profit Housing Corporation for the collection of garbage at 580 Limeridge Road East, Hamilton; and
- (b) That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Municipal Non-Profit Housing Corporation for the collection of garbage at 772 Upper Paradise Road, Hamilton.
15. (a) That the Ministry of the Environment (M.O.E.) officials who assess the applicant's submission be informed that the City of Hamilton has no objections to the Sunohio Canada Inc. request for approval for a class 2 Site Approval for a PCB Chemical Destruction Facility in order to provide a service to Otis Canada Inc., provided that all M.O.E. regulations concerning siting of the mobile processing unit, the collection and disposal of the process by-products, the Ministry's PCB Site (Class 2 and 3) Applicant Information Checklist, and all applicable City of Hamilton By-Laws be complied with and adhered to fully.
- (b) That the existing policy requiring the proponent to submit his proposal to the City of Hamilton at least 30 days in advance of the scheduled work, in order for the City of Hamilton officials to review the proposal, be waived in order to permit Sunohio Canada Inc. to carry out the work as scheduled.

NOTE: Sunohio Canada Inc. of 87 Telson Road, Markham, Ontario, offers a mobile PCB Chemical Destruction process, which removes and destroys PCB's in insulating oils, such as those normally found in oil-filled electrical transformers.

Sunohio Canada Inc. has been requested by Otis Canada Inc. to remove PCB's contained in two of its operating transformers at 369 Ferrie Street East in Hamilton.

The applicant's detailed report which was received by Regional staff on October 31, 1987 has been reviewed by staff and is considered to be complete and in compliance with site application requirements.

16. That the City Subdivision Agreement for "LOCONDER GARDENS" (previously known as Loconder Survey), which was authorized by City Council on July 30, 1985, between the City and 568434 ONTARIO INC. (Walter Galdenze, President) be amended to provide for the construction of preliminary roads.

NOTE: The original agreement did not provide for preliminary roads because summer construction of municipal services was expected. The preliminary road construction complies with standard City policy. Loconder Gardens is located east of Upper Gage, north of Stone Church Road.

17. That the owners of "Bayview Glen Estates - Phase 2" be required to enter into a subdivision agreement with the City, to cover grading of the lands within this plan.

NOTE: All municipal services for these lands were installed and paid for under the City Subdivision agreement for "Bayview Glen Estates - Phase 1" (Plan 62M-517). Bayview Glen Estates - Phase 2 is located west of Upper Paradise Road, south of Stone Church Road.

18. (a) That the City approved the 1988 Street Lighting Capital Program in the amount of \$306 900 as proposed by Hamilton Hydro; and
- (b) That Hamilton Hydro be instructed to proceed with the system modifications.

19. That the the application of Tec-Est Consultants Inc. on behalf of Canada Liquid Air Ltd. to install a 16" dia. pipeline for the transmission of waste nitrogen, on the road allowance of Birmingham Street from the Ontario Hydro right of way to Burlington St. and across Ottawa St., north of Industrial Drive, be approved, during the pleasure of City Council, provided:

- (a) That the owner(s) enter into an agreement satisfactory to the City Solicitor and the Commissioner of Engineering to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (b) That a first year fee of \$309.32 and subsequent annual fee of \$118.32 be set for this privilege.
 - (c) That the owner(s) provide proof of \$2 000 000 public liability insurance, naming the City as an added insured party.
 - (d) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
20. That the application of Mr. D.N. Reid, General Manager, on behalf of the present owner(s) of 755 Concession Street, Hamilton Municipal Employees Credit Union Limited, to erect and maintain an aluminum and glass kiosk enclosure 0.95m by 1.47m, on the road allowance of Upper Sherman Avenue during the pleasure of Council, provided that:
- (a) That the owner(s) enter into agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$130, and subsequent annual fee for \$25 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
- 21.
- (a) That the City Solicitor be directed to prepare a By-Law to the stop-up, close and retain the "unopened road allowance of Ferguson Avenue from the C.N.R. right of way to 24.4m southerly being Part 1, on Plan No. 62R-9175".
 - (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-Law.
 - (c) That the applicant provide a full width of road allowance easement to the Region to provide access to their existing underground utilities.

- (d) That the City Solicitor be authorized to prepare the easement agreement on the said street to the Region.
 - (e) That the Regional Surveyor be authorized to prepare and deposit the necessary reference plan.
 - (f) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth, for approval for the proposed closing, pursuant to Section 48 of the Regional Act.
- * 22. (a) That the "Woman's World '88" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from October 17, 1988 to October 24, 1988, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:
- "Woman's World '88 Friday, Saturday, Sunday Oct. 21,22,23"
- ** 23. (b) That the "HAMILTON PLACE" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from December 21, 1987 to December 28, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:
- "Hamilton Place - Snow White - January 7,8,9"
24. That the Commissioner of Engineering be authorized to issue permits annually for the erection of Christmas lights and decorations on Local Roads provided:
- (a) That the Associations indemnify and save the City harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and losses, and
 - (b) That the Association provide proof of liability insurance in writing to the Commissioner of Engineering in the amount of \$1 000 000 naming the City as an added insured party with a provision for cross liability, and
 - (c) That the Associations hire their own contractor(s) to erect and remove the said lights and decorations.

* Recorded Vote, see page 2231

** Recorded Vote, see page 2232

25. That the Commissioner of Engineering be authorized to issue "Street Occupation Permits" annually to sign and glass company applicants requesting permission to acquire a Local Roads Street Occupations Permit. The Applicant's vehicles will be permitted to occupy the roadway and boulevard portions of the road allowance excluding sidewalks, bus stop areas and areas adjacent to fire hydrants, for erection, cleaning and maintenance purposes only, provided that:
- (a) The applicant(s) comply with all the requirements of Street By-Law No. 9329.
 - (b) The applicant(s) agree not to occupy any part of the roadway during peak traffic periods in contravention of signed No Stopping Zones, either permanent or time-regulated restrictions.
 - (c) The applicant(s) obtain approval from the Commissioner of Engineering for any work required to be carried out in bus stop areas, prior to commencing his work.
 - (d) If the applicant(s) are unable to perform their operations without parking a vehicle on the sidewalk or boulevard, the following conditions are mandatory:
 - i. Prior to commencing his works, he must acquire a "Barricading Permit", from the Traffic Department, City of Hamilton.
 - ii. Place wood planking, minimum thickness 50 mm (2") over the sidewalk/boulevard for load bearing distribution and protection.
 - iii. During his operations maintain a minimum width of 1.5m of unimpeded sidewalk or boulevard.
 - (e) The applicant(s) in writing indemnifies and saves the City of Hamilton harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses, and loss.
 - (f) The applicant(s) provide proof of public liability insurance to the Commissioner of Engineering in the amount of \$1 000 000 naming the City of Hamilton as an added insured party with a provision for cross liability.

26. That leave be granted to introduce the following bills:

- (a) Bill No. B-96 By-Law to Amend Traffic By-Law No. 66-100
To Regulate Traffic.
- (b) Bill No. B-97 By-Law to Amend Traffic By-Law No. 66-100
To Regulate Traffic.

Respectfully submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R.C. Prowse, Secretary
November 30, 1987
lp

* Section 11(a) Amended to Read:

11. That the following policy regarding the implementation of reserved permit parking spaces for handicapped residents be adopted:

(a) Individual Permit Parking spaces will be granted when:

- i. The applicant has a valid handicapped permit issued by the Commissioner of Social Services of the Regional Municipality of Hamilton-Wentworth; and
- ii. On-street parking is permitted on either side of the street on a full-time basis; and
- iii. A parking space can be provided which is entirely adjacent to the frontage of the applicant's property; and
- iv. No alternative suitable parking spaces are available on the property; and
- v. In the case of an alternate side parking street, a reserved space will be designated on both sides of the street such that the space will be available to the handicapped resident at all times of the year.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **TWENTY-FOURTH** Report for 1987 and respectfully recommends:

1. That the Provincial Minister of Housing be petitioned to amend The Ontario Building Code Act to include the construction features of the "Shield of Confidence" Programme of the Hamilton-Wentworth Regional Police to protect homeowners from unlawful and criminal entry into their homes.
2. (a) That the City Solicitor be authorized and directed to draft a by-law to amend the City of Hamilton Subdivision agreements by adding the following:
 - (i) That the Building Commissioner shall not issue a building permit before the Regional water supply for fire protection is available and operational and an access road acceptable to the City has been provided.
- (b) Notwithstanding the foregoing, the Building Commissioner may:
 - (i) Subject to receipt of certification from the Subdivider's Professional Engineer, issue building permits for construction occurring within 150m (500 feet) of an existing charged hydrant when an acceptable road providing access to within 90m (300 feet) of the construction site lot line is available.

Note: An acceptable road is a road which has on it an asphalt surface or a road which has been accepted by the Commissioner of Engineering as a road.
- (c) That the above policy change will be reviewed in 12 months time with all parties concerned.

Note: A recent \$10 million dollar fire in Markham, Ontario where more than 100 homes under construction were destroyed was just one of a series of such incidents which have occurred in the past 18 months where inadequate water supply was considered a major factor.

Subsequent to the Markham fire, the Hamilton Fire Department has been investigating the availability of water on new construction sites and have determined that a serious water supply problem does exist in some areas.

It is the view of the Fire Department that adoption of the above recommendation will greatly reduce the potential for large loss fires to occur on construction sites.

It should be noted that the above referenced by-law would enable the Building Commissioner to refuse to issue a permit in accordance with provisions of the Ontario Building Code.

Staff have met with representatives of the Hamilton and District Homebuilders Association and the Association have indicated that this recommendation is acceptable to them.

The Homebuilders Association would prefer the Building Commissioner to issue a building permit allowing construction up to the deck level. Staff cannot support this as there are not sufficient remedies available in the Building Code Act to ensure that all builders stop construction at the deck level. The suggestion was made to provide a substantial penalty clause in the subdivision agreement to assure compliance with the policy. This suggestion was not acceptable to the Homebuilders.

- * 3. That the firm of C.C. Parker Consultants Limited be retained to carry out a study on collection and containerization of garbage in the alleyways running parallel to and directly north of King Street East from James to Wellington Streets at a total upset fee of ten thousand five hundred dollars (\$10 500) as part of the Phase IV of the Downtown Hamilton Action Plan.

Note: Phase IV of the Downtown Hamilton Action Plan originally proposed physical improvements to parking lots and laneways within the downtown core. During discussions with representatives of the Business Improvement Areas and staff, the issue of cleaning up the alleyways prior to beautifying them was suggested, and in this regard a study was recommended to:

- (a) survey the alleys
- (b) discussions with the businesses, B.I.A.'s and City staff
- (c) review of alternatives such as various types of containers and frequency of collection
- (d) draft report to discuss with B.I.A.'s and the City and prepare a final report.

C. C. Parker Consultants Limited was the lowest of two (2) bids received.

Funds are available from Phase IV of the Downtown Hamilton Action Plan.

- * Recorded Vote, see page 2232

4. (a) That the concept design of Phase IV, Stage III, Downtown Hamilton Action Plan for the Jarvis Street Parking Lot, attached herewith and marked APPENDIX "A", be APPROVED, and
- (b) That, Moorhead Fleming Corban McCarthy, be authorized to proceed with the finalizing of working drawings and specifications ready for construction tender of the Jarvis Street Parking Lot Landscape Plan at an upset fee of twenty-eight thousand dollars (\$28 000).

Note: City Council, at its meeting held 1986 August 26, approved Section Twenty of the Sixteenth Report of the Planning and Development Committee, that recommended that the firm of Moorhead Fleming Corban McCarthy undertake a detailed study and analysis of Phase IV of the Downtown Hamilton Action Plan (D.H.A.P). Phase IV pertains to the renewal of municipal infrastructure within the D.H.A.P. area; surface renewal and illumination of alleyways and service lanes within the entire area.

To date the Planning and Development Committee and City Council have approved of Stages I and II. The above recommendation pertains to a portion of Stage III, which would permit the Consultants to provide detailed implementation drawings, specifications and tender documents.

At its meeting of 1987 October 29, the Downtown Hamilton Action Plan Co-ordinating Committee approved of the concept plan for the Jarvis Street Parking Lot, and that the firm of Moorhead Fleming Corban McCarthy proceed to Stage III as it pertains to the Jarvis Street Lot. The Downtown Hamilton Action Plan Co-ordinating Committee recommended, that the Consultants will consult with the Parking Authority on detailed matters after the Planning and Development Committee had approved of this recommendation.

5. That the Building Commissioner be authorized to issue a demolition permit for the demolition of the residential building at 174 Belview.

Note: The above noted building is in the Demolition Control Category "B" - (No immediate redevelopment is proposed but it is uneconomical to maintain the existing residential property).

The present use is a single family dwelling in a "D" zone with a lot size of 35' X 100'. The proposed use is to be left vacant for the future Crown Point West Park Development. The future owner will be the City of Hamilton.

6. That APPROVAL be given to Zoning Application 87-76, Delores Bovell, owner, requesting a modification to the "DE-2" (Multiple Dwellings) District regulations, to permit 14 dwelling units within the existing building instead of the legally permitted 12 dwelling units, for the property located at No. 1026 King Street East, as shown on the attached map marked as APPENDIX "B", on the following basis:
- (a) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 10B(1), a maximum of 14 dwelling units shall be permitted within the existing building.
 - (b) That notwithstanding Section 18A(1)(a) and (b), 4 parking spaces shall be provided
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1056, and that the subject lands on Zoning District Map E-33 be notated S-1056;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-33;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Note: The purpose of this By-law is to provide for a modification to the "DE-2" (Multiple Dwellings) District for the property located at No. 1026 King Street East.

The effect of the By-law is to permit 14 dwelling units within the existing building instead of the legally permitted 12 dwelling units.

In addition, the By-law exempts the additional units from the provision of 3 parking spaces.

7. That APPROVAL be given to Zoning Application 87-88, Kathy Popovich, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District to permit a hairdressing business, operated as a "Home Occupation" use within a portion of a dwelling located at No. 166 Gainsborough Road, as shown on the attached plan marked as APPENDIX "C" on the following basis:
- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:

- (i) That notwithstanding the provisions of Section 2(2)(H)(iii)(f) and (h) of By-law No. 6593, hairdressing shall be permitted as a home occupation
 - 1. carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,
 - 2. providing for not more than one comb-out centre and one hair styling sink.
- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1057, and that the subject lands on zoning District Maps E-114 and E-115 be notated S-1057;
- (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-114 and E-115;
- (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Note: The purpose of the By-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at No. 166 Gainsborough Road.

The effect of the By-law is to permit a hairdressing business, operated as a home occupation for one hairdresser only. In addition, the By-law limits the hairdressing business to one comb-out centre and one hair styling sink.

8. That APPROVAL be given to Zoning Application 87-103, Richard Brown, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-2" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, to convert a single family dwelling to a two family dwelling, for the property located at No. 1154 Leaside Road, as shown on the attached map marked as APPENDIX "D", on the following basis:
- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "R-2" (Urban Protected Residential - One and Two Family Dwellings, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-81;
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Note: The purpose of this By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-2" (Urban Protected Residential - One and Two Family Dwellings, etc.) for the property located at No. 1154 Leaside Road.

The effect of this By-law is to permit the conversion of a single family dwelling to a two family dwelling.

9. (a) That **APPROVAL** be given to Subdivision Application 87-26, Appleridge Estates (Hamilton) Ltd., owner, to establish a draft plan of subdivision in the area north of Stone Church Road East, west of Upper Sherman Avenue, subject to the following conditions:
- (i) That approval apply to the plan prepared by A. J. Clarke and Associates dated 1987 July 14, revised to widen the road allowance to 20m and to show 9m radius transitions from the street to the cul-de-sac bulb.
 - (ii) That the plan not be registered until such time as road access is provided by the extension of Rupert Court from the southerly limit of Registered Plan No. 62M-528 (High Ridge Estates - Phase 3) to the proposed street.
 - (iii) That the road allowance be dedicated as a public highway on the final plan.
 - (iv) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (v) That the final plan conform with the Zoning By-law approved under The Planning Act.
 - (vi) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - (vii) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (viii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
 - (ix) That the owner shall erect a sign in accordance with Section X of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.

- (x) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
 - (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-26), Appleridge Estates (Hamilton) Ltd., owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
10. That APPROVAL be given to Zoning Application 87-91, Appleridge Estates (Hamilton) Ltd., owner, for a change in zoning from "RT-10" (Townhouse) District, modified, to "C" (Urban Protected Residential, etc.) District for the rear lands of No. 613 Stone Church Road East, as shown on the attached map marked as APPENDIX "E", on the following basis:
- (a) That the subject lands be rezoned from "RT-10" (Townhouse) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27C;
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
 - (d) That the Rushdale Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to a "Single and Double" residential designation.
- Note: The purpose of the By-law is to provide for a change in zoning from "RT-10" (Townhouse) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of No. 613 Stone Church Road East.
- The effect of the By-law is to permit development of the subject lands for single family dwellings.
11. That APPROVAL be given to Zoning Application 87-110, Bar-Brock Enterprises, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located in the area east of Eleanor Avenue between Dulgaren Street and Alma Avenue as shown on the attached map marked as APPENDIX "F" on the following basis:

- (a) That the lands described as Blocks 1 and 2 be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District E-38D;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Note: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located in the area east of Eleanor Avenue between Dulgaren Street and Alma Avenue.

The effect of the By-law is to permit development of the subject lands for single-family dwellings in accordance with a proposed draft plan of subdivision.

12. That Zoning Application 87-90, Hamilton General Homes (1971) Limited, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-1" (Designed Shopping Centre) District and to change the Official Plan from "Residential" to a "Commercial" land use designation, for property located on the north side of Stone Church Road East and west of the Ontario Hydro right-of-way, as shown on the attached map, marked as APPENDIX "G" be **DENIED** on the following basis:
- (a) The proposed development would be incompatible with existing and proposed residential development in this area.
 - (b) The proposal does not comply with the intent of both the Official Plan and the approved Rushdale Neighbourhood Plan.
 - (c) There is an adequate supply of commercial land, existing and proposed, within this area along the abutting arterial roads to serve the needs of present and future inhabitants of this area.
 - (d) There is a residential lot abutting to the south-east which is not incorporated in the proposal.
13. (a) That the requested walkway closure between Cranbrook Drive and Greyfriar Drive, Gilkson Neighbourhood be **APPROVED** subject to the following:
- (i) That all four abutting property owners are willing to purchase or lease the present walkway lands
 - (b) That the closure and disposal of the walkway be dealt with by the Transport and Environment Committee.

14. For the information of the members of City Council, the Planning and Development Committee has mandated staff to seek a meeting, within 60 days, with industry representatives within the Normanhurst Neighbourhood, to attempt to reach agreement on a list of the most noxious and unacceptable industrial uses that would be removed from the existing zoning of "K" (Heavy Industry, etc.) in the Normanhurst Neighbourhood, and report back to the Planning and Development Committee.

15. (a) That the "Intent to Designate" and the "Reasons for Designation" attached herewith as APPENDIX "H" for the property of the Church of the Ascension at 64 Forest Avenue as a building of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, be APPROVED.

- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

Note: The Church of the Ascension has requested designation.

16. That the request for a Heritage Permit Application for a Fire Escape Addition to the third floor on the east side of 107 George Street, Hamilton - a designated building, be APPROVED.

Note: The owner requires permission from City Council to make any alterations or additions to the designated east, west and north facades.

L.A.C.A.C., at its meeting held 1987 November 5, approved the above recommendation.

17. (a) That the following 1988 operating budget of the Barton General Business Improvement Area in the amount of six thousand dollars (\$6 000) be APPROVED:

\$4 000	Advertising
1 000	Secretarial
750	Contingency
<u>250</u>	Miscellaneous
<u>\$6 000</u>	TOTAL

- (b) That the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1988 budget as referenced to above; and,

- (c) That the schedule of payments for 1988 be as follows:

February 1, \$6 000.

Note: At a general membership meeting held 1987 November 11, the Barton General Business Improvement Area (Barton Street East #1) budget for 1988 in the amount of six thousand dollars (\$6 000) of which fifteen percent (15%), seven hundred and fifty dollars (\$750) has been set aside for uncollectible levies was voted on and approved unanimously by twenty-four (24) members present.

18. That a Commercial Facade Loan in the amount of \$10 000 be APPROVED for Patrick Marzilli of 1041 King Street West. The interest rate will be 4.5 percent, amortized over 10 years.

19. That the City of Hamilton NOT ENDORSE the following proposed amendments for the hydro corridor lands located immediately south of the City of Hamilton boundary, as shown on the attached map marked as APPENDIX "I".

- (a) To redesignate the subject lands in the Township of Glanbrook Official Plan from "Agriculture" to "Airport Related Commercial"; and,
- (b) To amend the Township of Glanbrook Zoning By-law by rezoning the subject lands from "A" (Agricultural) District to an airport related commercial zoning category

for the following reason:

- (a) The hydro corridor acts as a buffer between the established and abutting residential areas in the City of Hamilton and the proposed commercial uses located south of the hydro corridor in Glanbrook. From a planning perspective, it is preferable to retain this buffer zone, in order to maintain land use compatability.
20. (a) That the Community Development Department use the ethnic population information compiled by the Planning and Development Department to assist Business Improvement Areas to capitalize on the promotional benefits of their ethnic businesses and surrounding ethnic populations;
- (b) That the Community Development Department continue to assist groups to establish Business Improvement Areas;
 - (c) That the City, where requested by Business Improvement Areas, support and assist the establishment of programs with respect to architecture; street design; art; music; food and festivals to enhance and promote existing ethnic commercial areas; and,

- (d) That the City Clerk request the Regional Municipality of Hamilton-Wentworth to promote ethnic commercial villages as tourist attractions through the activities of the Economic Development Department.

Note: Copies of the report prepared by the Planning and Development Department on Ethnic Commercial Villages were presented to members of the Planning and Development Committee. Additional copies can be obtained from the Secretary.

21. For the information of the members of City Council, the Planning and Development Committee authorized the Planning and Development Department to establish an Advisory Committee for the High Density Residential Development Study.

For the further information of the members of City Council, the Planning and Development Committee appointed Alderman Don Ross to serve on the Advisory Committee.

22. That the Corporation of the City of Hamilton accept the sum of \$17 916.98 as cash payment in lieu of 5% dedication in connection with "Kenora Gardens", Hamilton - this being the cash requirement under Section 50 of The Planning Act.

Note: These lands are located south of Barton Street and east of Kenora Avenue in the Kentley Neighbourhood, Hamilton.

23. That the Corporation of the City of Hamilton accept the sum of \$32 630 as cash payment in lieu of 5% dedication in connection with "High Ridge West", Hamilton, - this being the cash requirement under Section 50 of The Planning Act.

Note: These lands are located north of Stone Church Road East, and east of Upper Wentworth Street in the Rushdale Neighbourhood, Hamilton.

24. That leave be granted to introduce the following Bills:

- (a) Bill D-152 By-law to amend Zoning By-law No. 6593 respecting land located at municipal nos. 182-184 Jackson Street East.
- (b) Bill D-153 By-law to amend Zoning By-law No. 6593 respecting land located on the west side of the proposed extension of Angelina Place.

- (c) Bill D-154 By-law to amend Zoning By-law No. 6593 respecting land located on the north side of Bigwin Road, east of Anchor Road.
- (d) Bill D-155 By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 56 Lilacside Drive.
- (e) Bill D-156 By-law to amend Zoning By-law No. 6593 respecting lands located on the north side of Rymal Road West, between Upper James Street and West Fifth Street.
- (f) Bill D-157 By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 418 Limeridge Road East.
- * (g) Bill D-158 By-law to amend Tariff of Fees By-law No. 87-55 Respecting The Committee of Adjustment.
- ** (h) Bill D-159 By-law to amend Zoning By-law No. 6593 respecting land located at municipal No. 1088 Main Street West.

Respectfully submitted,

Alderman J. Smith, Chairman
Planning & Development Committee

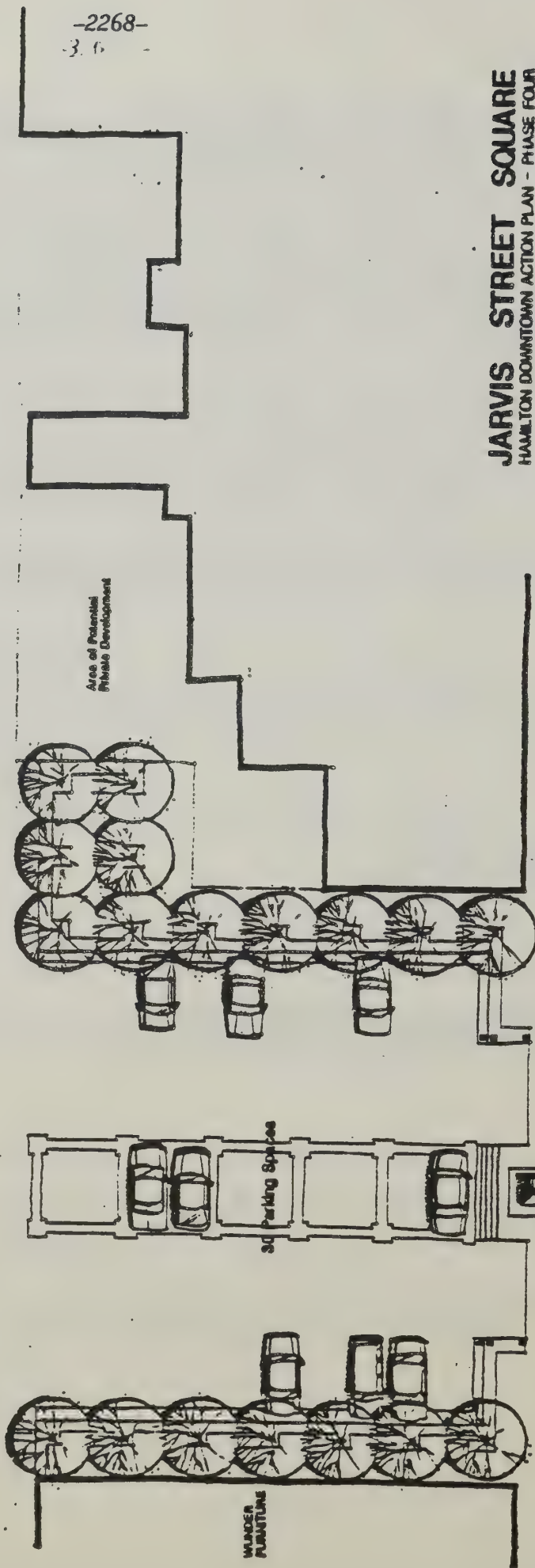
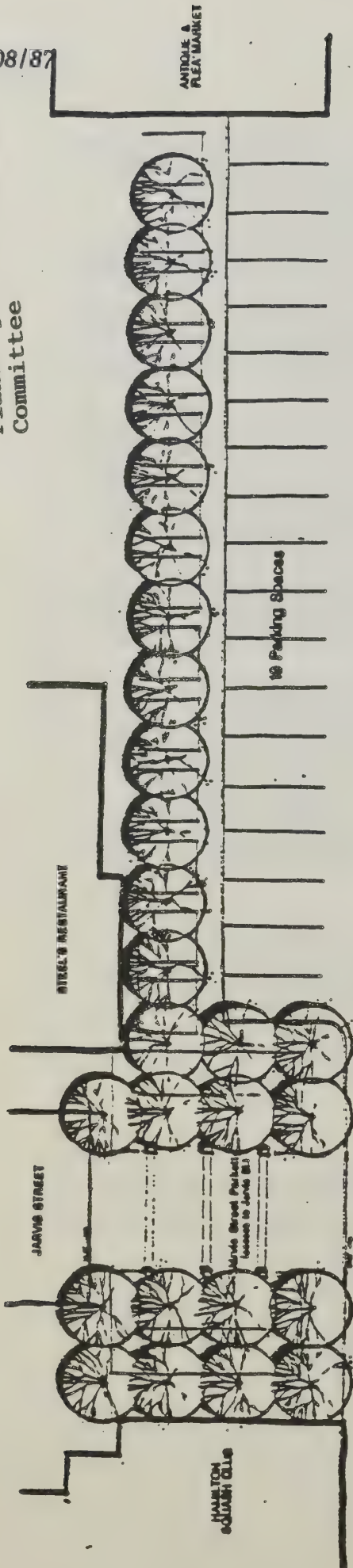
Susan K. Reeder
Acting Secretary
1987 November 25

* Section 24(g) Added during Council

** Section 24(h) Added during Council
Recorded Vote, see page 2232

APPENDIX "A" as referred
to in Section 4 of the
24th Report of the
Planning & Development
Committee

12/08/87



JARVIS STREET SQUARE
HAMILTON DOWNTOWN ACTION PLAN - PHASE FOUR

PROJ. NO. 0110
SCALE 1"=50'-0"
DATE APR 1987




Preliminary Concept Plan

LOOK TO



LEGEND

 SITE OF THE APPLICATION

APPENDIX "B" as referred to in Section 6 of the 24th Report of the Planning & Development Committee

12/08/87

-2270-

G-1/S-199

CENTENNIAL PARKWAY N

VINEYARD RD

GAINSBOROUGH

OLD ORCHARD DR

J.S. RD

KELVIN

COURT

GAINSBOROUGH RD

SCOTT ST

HH/S-343

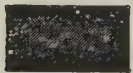
G-3

CITY OF HAMILTON

CITY OF STONEY CREEK

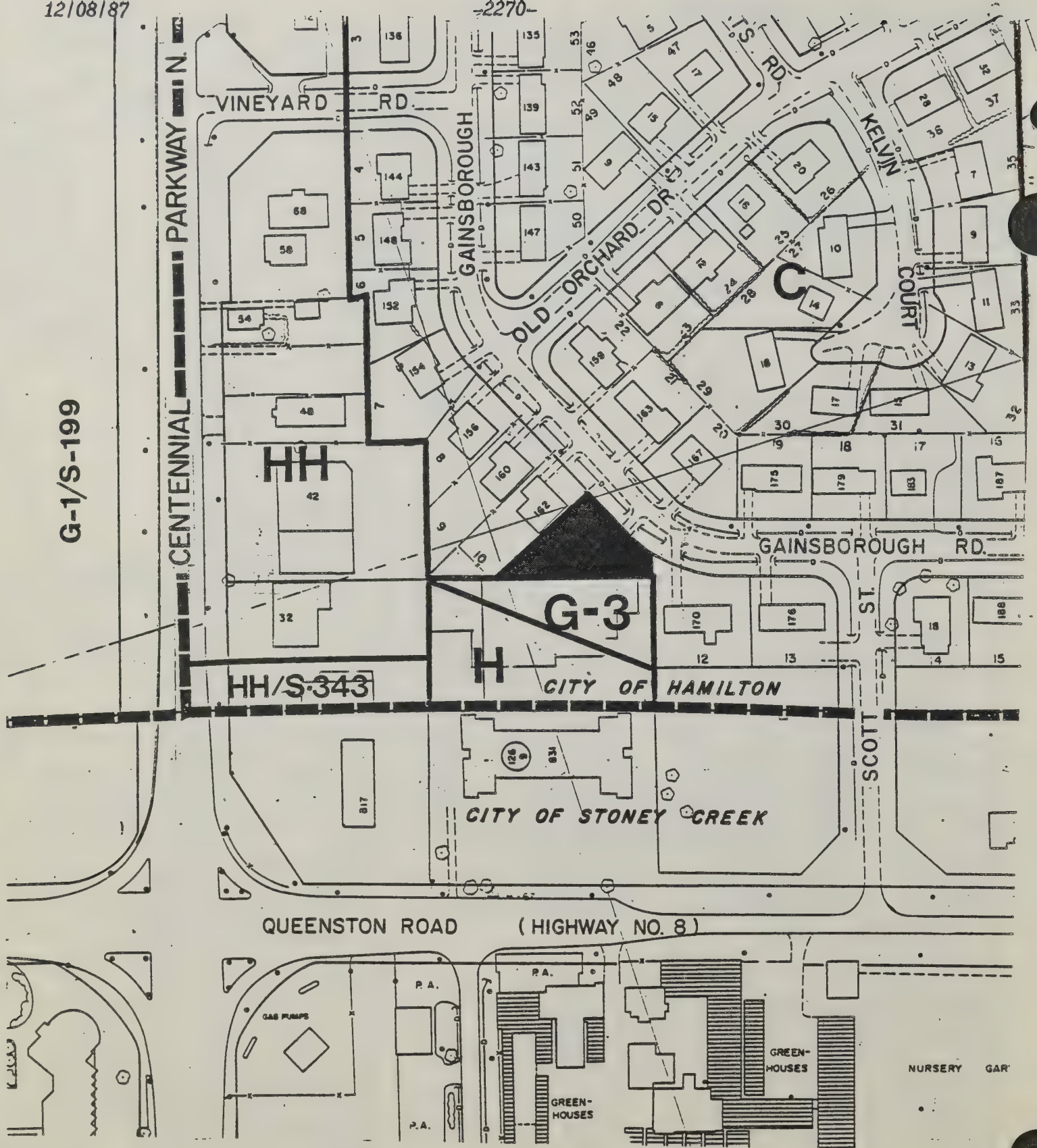
QUEENSTON ROAD (HIGHWAY NO. 8)

LEGEND



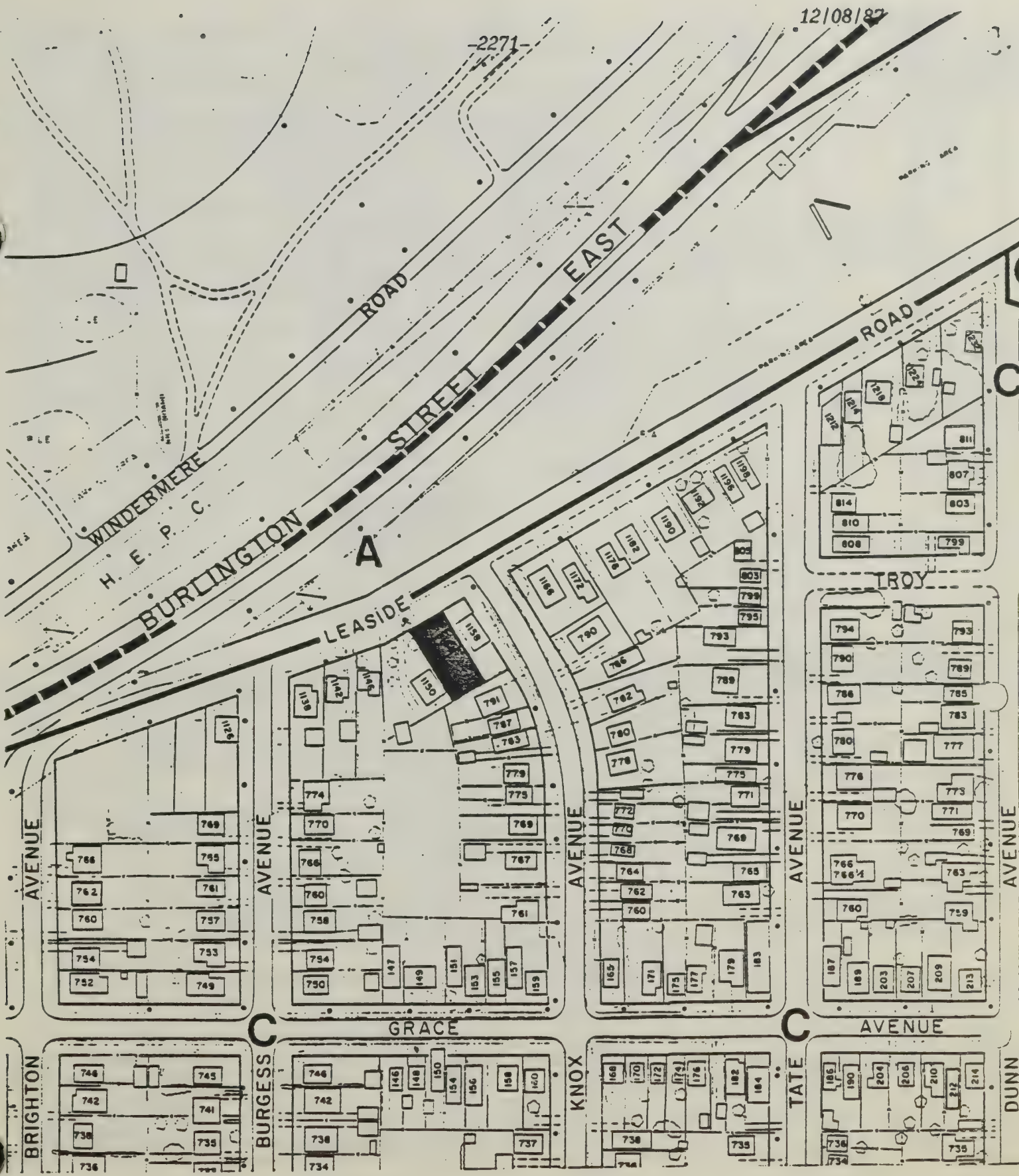
SITE OF THE APPLICATION

APPENDIX "C" as referred
to in Section 7 of the
24th Report of the
Planning & Development
Committee



12/08/87

-2271-



LEGEND

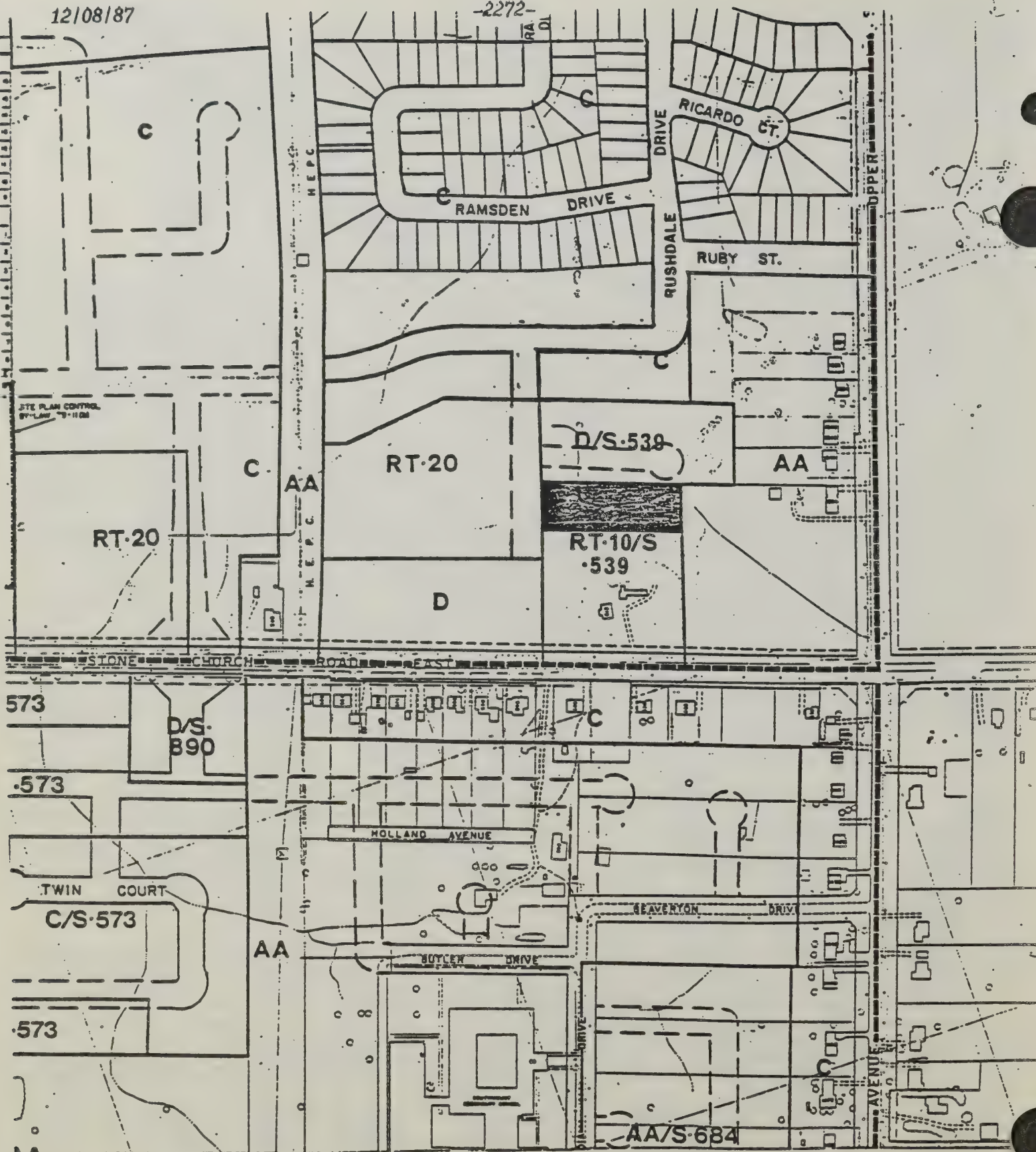


SITE OF THE APPLICATION

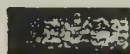
APPENDIX "D" as referred to in Section 8 of the 24th Report of the Planning & Development Committee

12/08/87

-2272-



LEGEND



SITE OF THE APPLICATION

APPENDIX "E" as referred
to in Section 10 of the
24th Report of the
Planning & Development
Committee

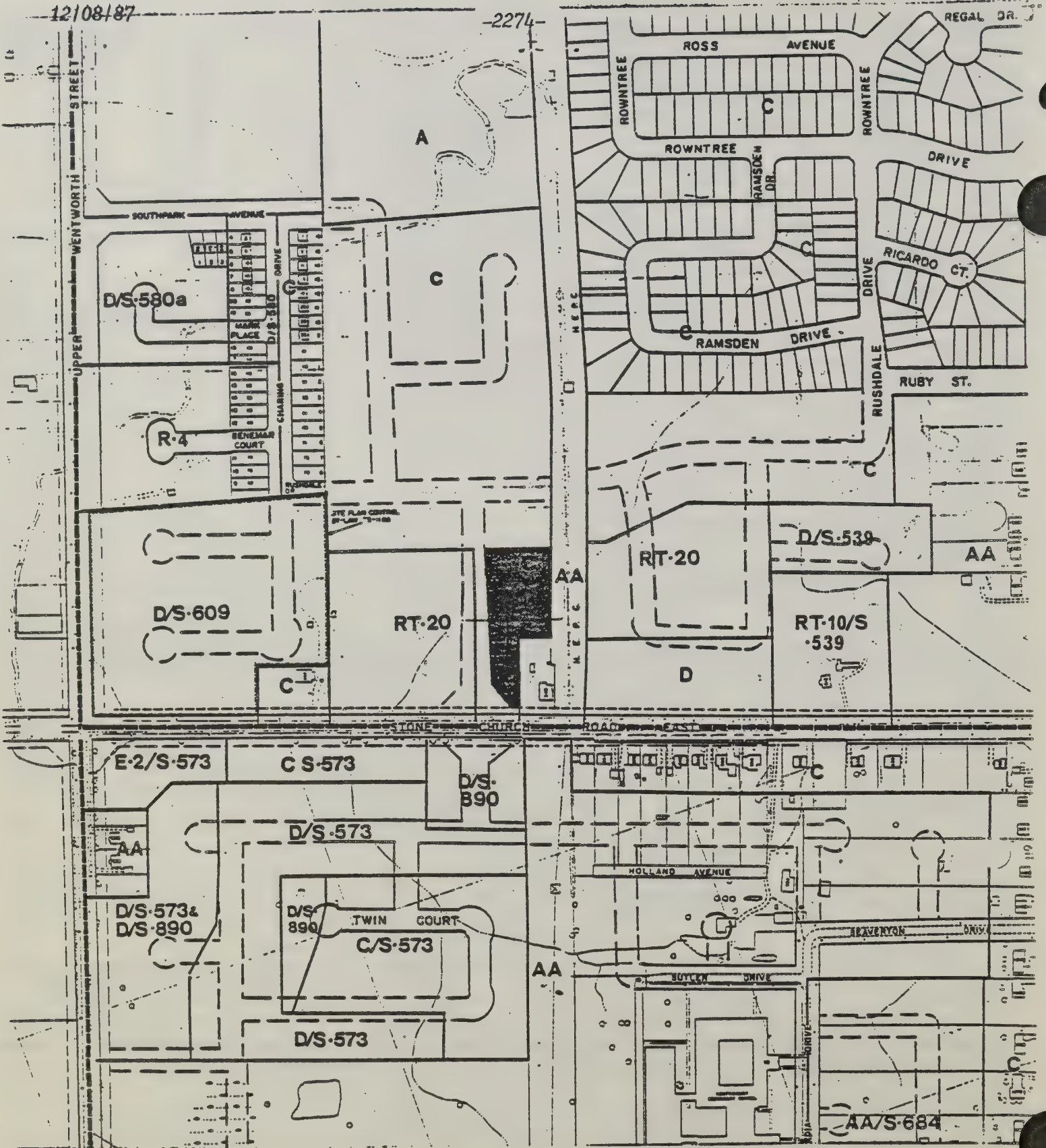
BLOCKS 1 & 2

SITE OF THE APPLICATION

APPENDIX "F" as referred to in Section 11 of the 24th Report of the Planning & Development Committee

12/08/87

-2274-



LEGEND



SITE OF THE APPLICATION

APPENDIX "G" as referred to in Section 12 of the 24th Report of the Planning & Development Committee

REASONS FOR DESIGNATION

The Church of the Ascension

64 Forest Avenue

The Church of the Ascension, located at the corner of John Street South and Forest Avenue, is one of Hamilton's outstanding nineteenth century churches. The original Gothic Revival structure was designed by the firm, Cumberland and Ridout, and built in 1850-51 of local limestone.

The Church was consecrated in 1875, shortly after the spire and gable-end pinnacles were added. Following a fire which gutted the church in 1887, the interior was rebuilt and the present chancel added. The church interior has since undergone numerous minor alterations. On the exterior, both original porches on the north and south transepts have been altered and an entrance vestibule facing Forest Avenue added on the west facade.

The present church complex incorporates a number of linked structures enclosing a secluded courtyard. Of particular interest are the two stone Sunday School buildings: the first designed by a prominent Hamilton architect, Frederick Rastrick, and built in 1872, and the second designed by local architect Charles Mills and built in 1901.

With its corner tower, soaring spire and gently sloping site, the Church of the Ascension has a commanding presence on John Street South. Since the completion of its spire, this church has been a prominent landmark in the south-central part of the City and today provides a dramatic focal point for two surviving clusters of 19th century houses to the east on John Street South and to the west between Forest and Charlton Avenues.

The Church of the Ascension is historically important as Hamilton's second Anglican Church and first permanent stone structure built to house an Anglican congregation. The first meeting was held in 1847 in the coach-house of Miles O'Reilly, Chief Judge of the Gore District Court from 1837 to 1854. The site for the present church was donated by Richard Juson, a successful Hamilton merchant who was the largest contributor to the new building.

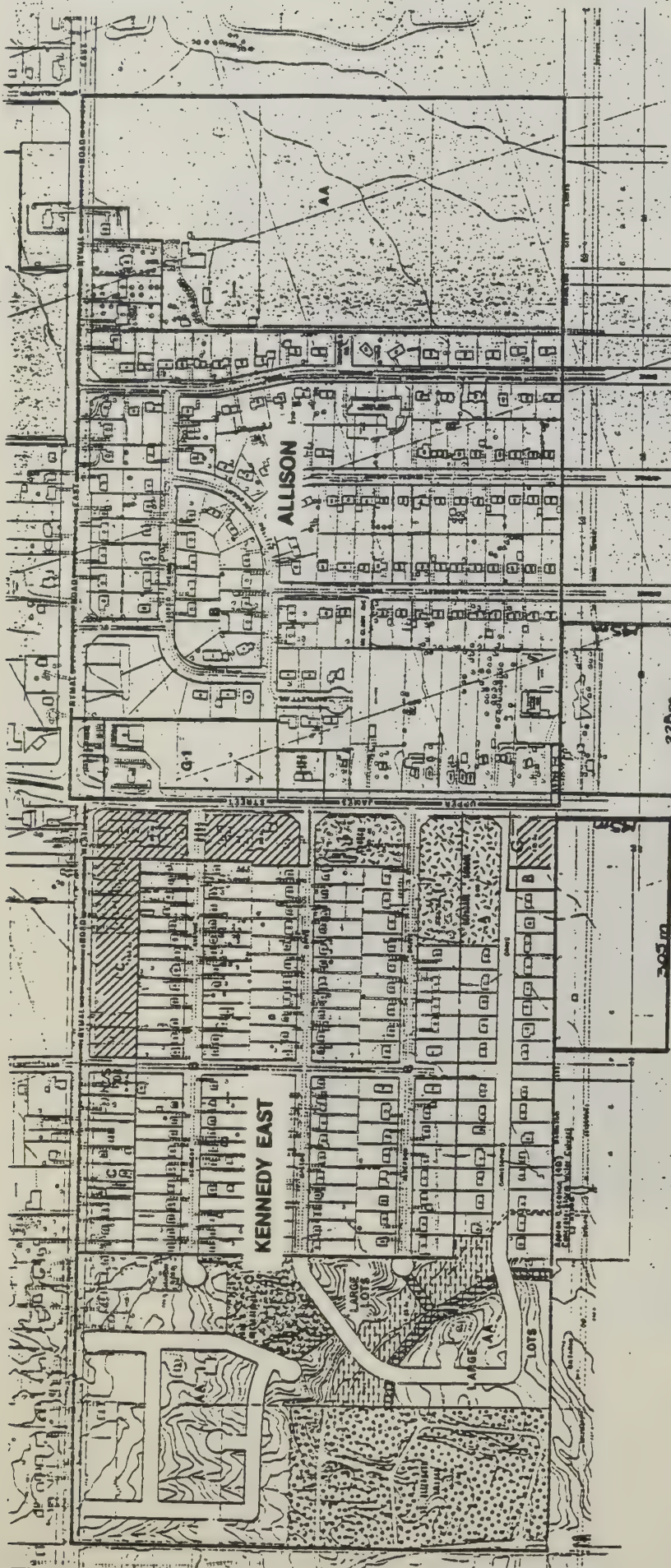
One of the City's best examples of a mid-19th century Gothic Revival church, the Church of the Ascension is both unusual for the corner positioning of its bell tower and striking for its vigorous detail and strong vertical lines achieved by the tall spire and heavy buttresses culminating in dominant pinnacles. The church is also architecturally significant as a major work of one of Canada's leading 19th century architects, Frederick W. Cumberland, who designed St. James Anglican Cathedral (1850-53) and University College (1856-58) in Toronto as well as the Central Public School in Hamilton (1853).

Important to the preservation of the Church of the Ascension complex are:

1. the exterior facades and roofs of the entire building complex including the stone masonry walls, buttresses, pinnacles, and carved stone decoration, the spire, the pointed-arch, trefoil and rose windows, and the doorways;
2. the interior of the original church (nave, transept and chancel) including the three wooden galleries, the wood panelling, the stained glass windows and the open timberwork ceiling;
3. the courtyard;
4. the stone wall along John Street and Charlton Avenue and the wrought iron railing.

N.C.:nd





LAND USE	
	RESIDENTIAL
	single & double
	attached housing
	low density apt.
	medium density apt.
	high density apt.
	st. Elizabeth retirement village
	COMMERCIAL
	INDUSTRIAL
	CIVIC & INSTITUTIONAL
	PARK & RECREATIONAL
	OPEN SPACE
	UTILITIES
	FLOOD PRONE LANDS

<p>CITY OF HAMILTON KENNEDY EAST APPROVED PLAN ALLISON ZONING</p>		<p>100' SCALE</p> <p>June 1985</p> <p>Page 6</p>
<p>This is not a Legal Document For Zoning Verification Purposes Consult City Building Department</p>		<p>Neighborhood Boundary</p> <p>Zoning Boundary</p> <p>Proposed for The City of Hamilton</p> <p>For the Planning and Development Department</p> <p>at the Regional Building of the City of Hamilton</p>

— SITE OF THE APPLICATION —

APPENDIX "I" as referred
to in Section 19 of the
24th Report of the
Planning & Development
Committee

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its TWENTIETH Report for 1987 and respectfully recommends:

1. That the Provincial Minister of Colleges and Universities be petitioned to pass legislation to ensure that the City of Hamilton's nominee to the Council of Regents is appointed to serve as the City's representative on the Mohawk College Board of Governors.
2. That the request of the Hamilton Jewish Community Centre for the following use of City Hall facilities BE APPROVED:
 - (a) To display the Menorah on the City Hall balcony from 1987 December 15th to 24th inclusive, and
 - (b) To use the City Hall Council Chambers on Thursday, 1987 December 17th from approximately 3:30 o'clock p.m. to 6:00 o'clock p.m. for the Annual Chanukah Celebrations.
3. That the request of the Department of Culture and Recreation to use the Council Chambers on Thursday, 1988 January 14 at 7:30 o'clock p.m. for the purpose of holding the Hamilton Hockey Council Executive Elections, BE APPROVED.
4. That the request of the Heart and Stroke Foundation of Ontario (Hamilton-Wentworth Chapter) for the use of the following City Hall facilities on Monday, 1988 February 1st BE APPROVED:
 - (a) Second Floor Lobby - Public Education displays (to be displayed during the day)
 - (b) Use of the City Hall forecourt from approximately 11:30 o'clock a.m. to 2:30 o'clock p.m.
 - (c) Use of plug outlets in the forecourt.

Note: The Mayor will be proclaiming "Heart Month" at noon to be followed by a cake cutting ceremony, serving cake/coffee/hot chocolate to the public, release of balloons and a "Jump Rope for Heart" demonstration.

5. That the request of the Max Rotman Humanitarian Youth Award Program Director to use the City Hall Council Chambers for the Awards Ceremony on Sunday, 1988 April 10th from approximately 7:30 o'clock p.m. to 10:00 o'clock p.m., BE APPROVED.

* 6. (a) That the Mayor write to all members of City Council advising them that the City of Hamilton's No Smoking By-law must be complied with, and

(b) That all Chairmen of Committees for meetings in civic buildings be mandated to enforce the City's No Smoking By-law.

7. That leave be granted to introduce the following Bill:

(a) Bill E-27 By-law to amend Market By-law No. 81-180 respecting Fees.

Respectfully submitted,

Alderman D. Christopherson
Acting Chairman
Legislation Committee

Susan K. Reeder
Secretary
1987 November 30th

* Section 6 Amended to Read:

6. (a) That the Mayor write to all members of City Council advising them that the City of Hamilton's No Smoking By-law must be complied with, and

(b) That all Chairmen of Committees for meetings in civic buildings be mandated to enforce the City's No Smoking By-law.

(c) That the Clerk of the Regional Municipality of Hamilton-Wentworth be notified that NO SMOKING REGULATIONS also apply to all Regional meetings held in City Hall.

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **TWENTY-FIRST** Report for 1987 and respectfully recommends:

- * 1. (a) That the City and Region Systems Departments be amalgamated as a Department with accountability to both the City and Region through a special joint co-ordinating committee consisting of City and Regional members reporting to the respective Councils.
- (b) That the special joint co-ordinating committee be composed of five (5) members of Regional Council, three (3) of whom shall also be members of Hamilton City Council.
- (c) That the City and Region Chief Administrative Officers circulate members of both Councils to determine who is interested in sitting on this new Information Systems Committee.

- **2. That the user fee for purchase of bus passes and tickets for Group "A" (Disabled and Handicapped Persons) be increased from \$24. to \$25. per month (bus passes) and 60 cents to 65 cents per ticket effective for the sale of bus passes for January 1988 and tickets January 1, 1988.

- ***3. That the user fee for the purchase of a bus pass for Senior Citizens (age 70 and over) be increased from \$2.29 per month to \$2.40 per month (paid annually from \$27.50 to \$28.75) effective for the renewal of annual bus passes commencing April 1, 1988.

* Recorded Vote, see page 2233

** Recorded Vote, see page 2233

*** Recorded Vote, see page 2233

- * 4. That the 1988 Current Budget Estimates be reviewed by the following Standing Committees during the first regular meetings in January on the dates indicated below.

January	4	Legislation Committee	- morning
	4	Transport and Environment Committee	- afternoon
January	5	Parks and Recreation Committee	- morning
	5	Finance Committee	- afternoon
January	6	Personnel Committee	- morning
January	7	Executive Committee	- afternoon
January	13	Planning and Development Committee	- afternoon

Note: The direction of City Council is to review the overall budgets at a special Council meeting at the end of January. In order to be prepared for this meeting, the Finance Committee is recommending early review of the Estimates by the Standing Committees.

5. That the Mayor and City Clerk be authorized to execute, in a form satisfactory to the City Solicitor, the documents necessary to quit claim the City's right, title and interest in the properties municipally known as 22 Barnesdale Avenue South and 21 St. Matthews Avenue pursuant to Tax Arrears Certificates registered March 11, 1983 and August 19, 1983 as Instrument No. 238970 C.D. and Instrument No. 254806 C.D.

6. That the claim of Dolly Geddes against the City be settled by a payment of \$4 000. by the City to Dolly Geddes, inclusive of all claims for damages, interest and costs.

Note: On March 9, 1985, Ms. Geddes was walking in an easterly direction along the sidewalk at 179 and 183 Market Street in Hamilton. She slipped on ice and snow which had existed on the sidewalk since a snowfall which had taken place on March 4, 1985. The City has some exposure for liability. However, the property owner, Bulanda, will likely bear a larger portion of liability and possibly full liability.

- * Section 4 Amended, see page 2283.
Recorded Vote on Previous Question, see page 2234.

A pre-trial was held before the Honourable Judge Stayshyn on November 19, 1987. His Honour was of the view that general damages would be between \$10 000. and \$15 000. Given this range, the total of general damages, out-of-pocket losses, interest and costs would be in excess of \$22 000. His Honour suggested that each party, including the plaintiff, should bear 25 percent of the total exposure. The Committee recommends acceptance of a settlement which represents a contribution by the City of approximately \$1 700. less than the contribution suggested by his Honour. The Committee recommends this both on an economic basis, having regard to the anticipated trial costs, and on the basis that the City has some exposure on liability.

7. That leave be granted to introduce the following Bill:

Bill G-10 By-law to Amend Municipal Tax Levy By-law No. 71-69
Respecting Fee for Treasurer's Tax Certificate

Respectfully Submitted,

ALDERMAN P. O. VALERIANO
CHAIRMAN
FINANCE COMMITTEE

John Thompson, Acting Secretary
December 01, 1987
mjlw

* Section 4 Amended to Read:

4. That the 1988 Current Budget Estimates be reviewed by the following Standing Committees during the first regular meetings in January on the suggested dates indicated below.

January	4	Legislation Committee	- morning
	4	Transport and Environment Committee	- afternoon
January	5	Parks and Recreation Committee	- morning
	5	Finance Committee	- afternoon
January	6	Personnel Committee	- morning
January	7	Executive Committee	- afternoon
January	13	Planning and Development Committee	- afternoon

NOTE: The direction of City Council is to review the overall budgets

12/08/87

-2284-

at a special Council meeting at the end of January. In order to be prepared for this meeting, the Finance Committee is recommending early review of the Estimates by the Standing Committees.

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its TWENTY-SECOND Report for 1987 and respectfully recommends:

1. That each Standing Committee review the 1988 Current Budget Estimates under their jurisdiction in early January on a summarized global basis, rather than line by line, with a view to Council approving a total City budget restricting the mill rate increase for 1988 to a maximum of 4.5%.

Note: At a special meeting held Thursday, December 3, 1987, the Finance Committee and other members of City Council received an overview of the current status of the global City budget for 1988 from the Treasurer.

The Treasurer's Status Report included a slide presentation, copies of which have been forwarded to all members of City Council under separate cover for review.

Following a review of the global City budget forecast and a discussion on the procedure to be followed in January when the budgets are reviewed by the Standing Committees, the Finance Committee agreed to recommend to City Council that the budgets be reviewed on a summarized global basis rather than line by line.

- * 2. That all items cut by the staff be listed. That the costs for each item or service that is cut be out alongside that item on the list of cuts, and that all necessary material to allow for a line by line review of all budgets be provided.

Respectfully Submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN
FINANCE COMMITTEE

John Thompson, Acting Secretary
December 03, 1987
mjlw

* Section 2 Added during Council
Recorded Votes, see page 2234

11/19/87

THURSDAY, NOVEMBER 19, 1987

12:00 O'CLOCK NOON

COUNCIL CHAMBER

URBAN MUNICIPAL

FEB 15 1988

GOVERNMENT DOCUMENTS

CLERK'S CERTIFICATE

I, Edward A. Simpson, Clerk of the City of Hamilton, do hereby certify that, at the By-Election held on the 17th day of November, 1987 to fill the vacancy in the Aldermanic seat in Ward 5, Mr. Dominic Agostino was elected by a majority of the votes cast.

I, Edward A. Simpson, Clerk of the City of Hamilton, do hereby certify that, at the By-Election held on the 17th day of November, 1987 to fill the vacancy in the Public School Trustee seat in Ward 3, Mr. Bert Allen was elected by a majority of the votes cast.

E. A. SIMPSON
City Clerk

11/24/87

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, NOVEMBER 24, 1987
7:30 O'CLOCK, P.M.

C4 ON HBLAOS
M21
1987

The Council met.

Alderman-Elect D. Agostino subscribed to the Declaration of Office and took the Oath of Allegiance before His Honour Judge N. Borkovich.

Alderman Agostino was welcomed to the Council by His Worship the Mayor and took his proper seat.

NOTE: Alderman Agostino was elected to fill the vacancy created by the resignation of Alderman Shirley Collins who was elected to the Provincial Legislature at the recently held Provincial Election.

* * * * *

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps,
Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher,
Merling, Murray, Ross.

URBAN MUNICIPAL

His Worship Mayor Robert M. Morrow called the meeting to order.

FEB 15 1988

Father Harvey Roach led the Council in prayer.

GOVERNMENT DOCUMENTS

Civic awards were presented to the following:

(a) Winners in the 1986 Canadian Special Olympics.

Merit and Service Awards of the Ontario Parks Association were presented to Mr. J. Pook and Mr. R. Nutley, Parks Division of the Public Works Department.

The minutes of the special meeting of November 5, 1987 and the regular meeting of November 10, 1987, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter of appreciation from Major Edward Pearce, Public Relations Director, The Salvation Army, for collection of toys and canned goods on behalf of the residents of Hamilton who are assisted by The Salvation Army over the Christmas Season, dated November 5, 1987. NOTED.
2. Application from Aram Simon Malek, 480 Upper Ottawa Street, Hamilton, Ontario, for a modification to the "H" District Regulations for property located at 1046 Barton St. East, dated November 13, 1987.
3. Application from Rodosa Development Corporation, 238 Gracefield Avenue, North York, Ontario, for a modification to the "HH" District regulations for property located at the north-west corner of Rymal Road East and Rockland Avenue, dated November 18, 1987.

11/24/87

-3040-

4. Application from Lina Zippolli, 270 Sanford Ave. North, Hamilton, Ontario, for a modification to the "L-mr2" District Regulations for property located at 577 York Street, dated November 18, 1987.
5. Petition filed by Alderman D. Christopherson on behalf of residents in the Normanhurst Neighbourhood to ban "K" Zoning in that neighbourhood.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following reports, with Alderman Ross in the chair.

* * * * *

(A) EXECUTIVE COMMITTEE - TWENTY-SECOND REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 14.

NAYS: Alderman Wheeler. - 1. CARRIED.

* * * * *

EXECUTIVE COMMITTEE - TWENTY-THIRD REPORT.

Recorded vote on the Twenty-Third Report.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 12.

NAYS: Aldermen Copps, Merling. - 2. CARRIED.

* * * * *

(B) TRANSPORT & ENVIRONMENT COMMITTEE - SEVENTEENTH REPORT.

* * * * *

(C) PARKS & RECREATION COMMITTEE - TWENTY-FIRST REPORT.

It was moved by Alderman Murray and seconded by Alderman McCulloch.

RESOLVED: that Section 3 be referred back.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

(D) PLANNING & DEVELOPMENT COMMITTEE - TWENTY-SECOND REPORT.

It was moved by Alderman Cooke and seconded by Alderman Smith.

RESOLVED: that the following be added to Section 24 as Subsection (h):

"(h) Bill D-129 By-law to amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1088 Main Street West." -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Agostino, Wheeler, Smith, Merling, Murray, Ross. - 12.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

PLANNING & DEVELOPMENT COMMITTEE - NINETEENTH REPORT.

It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED: that Section 5 respecting Zoning Application 87-61 for property at 234 Queen Street South, which was DEFEATED by City Council at its meeting held Tuesday, October 13, 1987, reading as follows:

"5. That APPROVAL be given to Zoning Application 87-61, Ritlyn Investments Limited, owner, requesting a further modification to the established 'D' (Urban Protected Residential-- One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as APPENDIX 'E' on the following basis:

- (a) That the 'D' (Urban Protected Residential-- One and Two-Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 86-251, passed by City Council on August 26, 1986, applicable to the subject property, be further amended to include the following variance as special requirements:
 - (i) That notwithstanding the provisions of Section 10.(1) of By-law No. 6593, the following additional commercial uses shall be permitted within the existing building:
 - 1. Retail variety and grocery store;
 - 2. Flower shop; and
 - 3. Drug store.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-973A, and that the subject lands on Zoning District Map W-14 be notated S-973A;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14; and
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a further modification to the established 'D' (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as APPENDIX 'E'. The effect of the By-law is to permit in addition to a dry cleaning pickup service use within the existing building, the following commercial uses:

- (a) Retail variety and grocery store;
- (b) Flower shop;
- (c) Drug store."

be now reconsidered. - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED: that Section 5 respecting Zoning Application 87-61 for property at 234 Queen Street South be replaced by the following:

"5. That APPROVAL be given to Zoning Application 87-61, Ritlyn Investments Limited, owner, requesting a further modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as APPENDIX 'E' on the following basis:

- (a) That the 'D' (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 86-251, passed by City Council on 1986, August 26, applicable to the subject property, be further amended to include the following variance as special requirements;
 - (i) That notwithstanding the provisions of Section 10(1) of By-law No. 6593, the following additional commercial use shall be permitted within the existing building:
 - 1. a stationery supply store;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-973A, and that the subject lands on Zoning District Map W-14 be notated S-973A;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14; and
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a further modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as APPENDIX 'E'. The effect of the By-law is to permit in addition to a dry cleaning pickup service use within the existing building, the following commercial use:

- (a) A stationery supply store." - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED: that Section 5 respecting Zoning Application 87-61 for property at 234 Queen Street South be adopted as reworded. - CARRIED.

* * * * *

PLANNING & DEVELOPMENT COMMITTEE - TWENTY-FIRST REPORT.

It was moved by Alderman Merling and seconded by Alderman Gallagher.

RESOLVED: that Section 6, adopted by City Council at its meeting held Tuesday, 1987 November 10th, respecting Zoning Application 87-80 for property located on the north side of Rymal Road East, between Upper Wellington Street and Upper Wentworth Street, reading as follows:

- "6. (a) That APPROVAL be given to an amended Zoning Application 87-80, 428680 Ontario Ltd. (Herbert Schreiber), owner, requesting changes in zoning from 'AA' (Agricultural) District to 'C' (Urban Protected Residential, etc.) District and 'RT-20' (Townhouse-Maisonette) District, to permit the development of the subject lands for single-family dwellings and townhouses, for the property located on the north side of Rymal Road East, between Upper Wellington Street and Upper Wentworth Street, as shown on the attached map marked as APPENDIX 'F', on the following basis:
- (i) That the lands shown as Blocks '1' and '2' be rezoned from 'AA' (Agricultural) District to 'C' (Urban Protected Residential, etc.) District.
 - (ii) That the lands shown as Block '3' be rezoned from 'AA' (Agricultural) District to 'RT-20' (Townhouse-Maisonette) District.
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18D;
 - (iv) That the approved Barnstown Neighbourhood Plan be amended by redesignating Block '3' from 'Residential-Single and Double' to 'Residential-Attached Housing'.
 - (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- (b) That the Planning and Development Department be requested to initiate a separate zoning amendment to rezone a remnant parcel of land from 'AA' (Agricultural) District to 'C' (Urban Protected Residential, etc.) District to create uniform zoning across the rear of the lands fronting on Upper Wentworth Street between Rymal Road East and Stone Church Road East, as shown on the attached map marked as APPENDIX 'G'.

NOTE: The purpose of the By-law is to provide for changes in zoning for the property located on the north side of Rymal Road East between Upper Wellington Street and Upper Wentworth Street, on the following basis:

Blocks '1' and '2' - Change in zoning from 'AA' (Agricultural) District to 'c' (Urban Protected Residential, etc.) District; and

Block '3' - Change in zoning from 'AA' (Agricultural) District to 'RT-20' (Townhouse-Maisonette) District.

The effect of the By-law is to permit the development of the subject lands for single-family dwellings (Blocks '1' and '2') and townhouses (Block '3'). -

be reconsidered. - CARRIED.

It was moved by Alderman Merling and seconded by Alderman Gallagher.

RESOLVED: that Section 6 be REFERRED BACK for a Public Hearing. - CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - TWENTY-THIRD REPORT.

(E) LEGISLATION COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Christopherson and seconded by Alderman Wheeler.

RESOLVED: that Section 1, reading as follows:

11/24/87

-3046-

- "1. That the Regional Municipality of Hamilton-Wentworth be requested to pay 50% of the City of Hamilton's cost of providing administrative support services to the City of Hamilton Aldermen. This cost sharing would reflect the work done on Regional business.

Note: The Finance Committee at its Special Strategy Meeting on the 1988 Budget which was held 1987 October 30th, requested the Legislation Committee to review the possibility of charging the Region for the support services provided by the secretarial staff of the Legislative Division on Regional business on a full cost basis, and report the cost saving to be gained.

The Legislation Committee at their meeting held 1987 November 16th endorsed the principle of charging the Region for the cost of the Aldermen's support staff working on Regional business.",

be deleted and the following inserted in lieu thereof:

- "1. That the Region's Legislation and Reception Committee be requested to consider a mechanism allowing municipalities to charge back some of the support costs for Regional Councillors' work." - CARRIED.

* * * * *

(F) PERSONNEL COMMITTEE - SIXTEENTH REPORT.

The recommendation of the Executive Committee on Section 2
CARRIED.

* * * * *

(G) FINANCE COMMITTEE - TWENTIETH REPORT.

Alderman T. Cooke declared personal interest in, took no part in the debate, and refrained from voting on Section 1 as he is a member of the Board.

* * * * *

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Hinkley, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Ross. - 9.

NAYS: Aldermen McCulloch, Valeriano, Copps, Merling, Murray. - 5. CARRIED.

* * * * *

11/24/87

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Alderman T. Cooke be appointed Acting Mayor for the month of December, 1987. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Alderman D. Agostino be appointed to fill the vacancy on the various Boards, Committees, etc. caused by the resignation of former Alderman S. Collins. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-44,
B-93, B-94, B-95,
D-144, D-145, D-146, D-147, D-148, D-149, D-150, D-151,
D-129 - CARRIED.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Ross in the chair.

A-44,
B-93, B-94, B-95,
D-144, D-145, D-146, D-147, D-148, D-149, D-150, D-151,
D-129.

* * * * *

Consideration of the Bills (second reading).

* * * * *

11/24/87

-3048-

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading)
on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps,
Christopherson, Agostino, Wheeler, Smith, Cowell, Gallagher, Merling,
Murray, Ross. - 15.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-44,
B-93, B-94, B-95,
D-144, D-145, D-146, D-147, D-148, D-149, D-150, D-151,
D-129 - CARRIED.

* * * * *

City Council adjourned at 9.10 p.m.

* * * * *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its **TWENTY-SECOND** Report for 1987 and respectfully recommends:

- * 1. (a) That the project, Major Maintenance to Civic Buildings in the gross amount of \$250 000 as provided for in the 1987 portion of the 1987 - 1991 Capital Budget be proceeded with and financed from the Reserve for Capital Projects, Account No. 0280-27.
- (b) That the Director of Property be authorized and directed to undertake this work.

NOTE: This project was approved by the Finance Committee at its meeting held November 17, 1987 and provides for among other things, the following; roof replacements for Central Memorial and Dalewood Recreation Centres; sewer connection for Walker Pool; replacement of removable hot pool floors at MacNab Recreation Centre; repair and re-coat roof at Central Services Building; refurbish the structure at the Cenotaph; repair acoustical ceiling at the Jimmy Thompson Pool as well as painting of various civic buildings.

- **2. (a) That the Director of Property be authorized to commence with renovations to space on the first, third, fourth and mezzanine levels of City Hall at an estimated cost of \$454 000 in order to accommodate the Property Department, Community Development Department, Culture and Recreation Department, Public Works Department, Purchasing Division of the Treasury Department and the Building Department.
- (b) That the City of Hamilton retain the Consultants to be utilized by the Region, to prepare a comprehensive study of office space requirements for all civic departments located in City Hall at a cost not to exceed \$25 000.
- (c) That the total estimated cost of this project in the amount of \$479 000 be financed from the Reserve for Capital Projects, Account No. 0280-27, based on an approved reduction in the cost of two projects known as replacement of ice systems for the Coronation and Parkdale Arenas.

* Recorded Vote, see page 3040

** Recorded Vote, see page 3040

NOTE: The Finance Committee approved this Project at its meeting on November 17, 1987.

For the information of the Members of City Council, the total of \$479 000 will be financed by \$244 400 surplus from the Coronation Rink Project and \$234 600 from the Parkdale Rink Project.

3. (a) That the construction of a finished roadway and concrete curb (north side only) on Princess Street from Sherman Avenue to the east end as a local improvement not be proceeded with since a sufficiently-signed petition against the work has been received by the City Clerk.
- (b) That Item 4 of the Eleventh Report of the Executive Committee which was approved by City Council on May 12, 1987, be rescinded.
- (c) That consideration be given to including the reconstruction of the sidewalk on the south side of Princess Street at the above noted location, including regrading and surface-treating the roadway and installing additional catch basins in the 1988 Preliminary Reconstruction Program.

NOTE: The Transport and Environment Committee approved this recommendation at its meeting November 16, 1987.

4. (a) That the City commute a portion of the Lancing Drive roadway and curb local improvement charge attributable to Lots 6 and 43, Plan M-227, Hamilton Mountain Industrial part No. 1 in the amount of \$4 846.58 so that the owner's portion of the charge will reflect only the portion of roadway and curb actually constructed.
- (b) That the cost to commute this local improvement in the amount of \$4 846.58 be financed from the Account "Local Improvement - Levies on Exempt Properties", Account No. 0378-1098.

NOTE: The Transport and Environment Committee approved this item at its meeting held November 16, 1987.

5. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to transfer the following surplus debenture proceeds in the total amount of \$194 736.96 to the Fire Station - East Mountain Project
 - (a) Construction of Quigley Road Fire Station
(O.M.B. Order No. E840725)\$128 230.31
 - (b) Acquisition of ravine lands for drainage purposes
(O.M.B. Order No. PFE 7993-61)\$ 66 506.65

NOTE: The City's policy in issuing debentures in the past was to secure the funds in the year the project was to commence. Both of the above projects were done accordingly and the net result was that the total amount debentured was not required inasmuch as both projects came in under budget.

The amount of debenture issue for the Quigley Road Fire Station was \$840 000 whereas the amount required was \$711 769.69 leaving a balance of \$128 230.31. The amount of debenture issue for the Land Acquisition Program was \$947 000 whereas the amount required was only \$880 493.35 leaving a surplus of \$66 506.65.

6. That the following resolution be endorsed and forwarded to The Honourable Otto Jelnik, Minister of Fitness and Amateur Sport:

WHEREAS, facts which have already been made public and further information which has been gathered by various organizing bid committees for the 1994 Commonwealth Games and forwarded to you would indicate that there have been serious irregularities in the selection process; and

WHEREAS, the Government of Canada is prepared to contribute \$50 000 000 to the city which is selected, should Canada be chosen for the 1994 Commonwealth Games; and

WHEREAS, the City which has been named was neither the first or second, possibly, not even third choice; and

WHEREAS, not only must there be fairness, there indeed must appear to be fairness; now

THEREFORE, the Government of Canada should strongly consider as its condition of committing \$50 000 000 that the Commonwealth Games Association of Canada appoint a new selection committee and notify all nine cities who submitted bids that there will be an opportunity to re-submit their bid presentations and appear before it; and

That the time and place for such presentations should be set as soon as possible in order that the selected city can be known prior to the Commonwealth Games Federation meeting on January 8th, 1988 in London, England.

11/24/87

-3052-

7. That leave be granted to introduce the following Bill:

- (a) Bill A-44 : A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

ALDERMAN WM. MCCULLOCH
ACTING CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee

1987 November 18
/dg

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its **TWENTY-THIRD** Report for 1987 and respectfully recommends:

- * 1. That the Regional Council of Hamilton-Wentworth be requested to provide litigation services to the City of Hamilton.

Respectfully submitted,

ROBERT M. MORROW,
CHAIRMAN,
EXECUTIVE COMMITTEE.

J. J. Schatz, Secretary
Executive Committee

1987 November 24
JJS/rm

* Recorded Vote, see page 3040

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **SEVENTEENTH** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton) for parking enforcement services for 1988 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender as follows:

	<u>Hourly Rate</u>
Sergeant	9.38
Corporal	8.89
Commissionaires	8.48

Note: This represents a 3.3% increase over 1987 rates. Funds provided in Traffic By-law Enforcement, Contractual Account No. 0345-0319.

2. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Victoria Park Community Homes Inc. for the collection of garbage at 1049 Rymal Road East, Hamilton.

Note: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

3. That the application of Mr. E. Fisher, on behalf of the present owner(s) of 378 Bay Street North, Elizabeth Fisher, to retain the following inadvertent encroachment consisting of a wooden veranda 0.72m by 6.10m and concrete walkway and steps, 3.25m by 0.91m, be approved during the pleasure of City Council provided:
 - (a) That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (b) That a first year fee of \$125., and subsequent annual fee of \$20. be set for this privilege.
- (c) That the Mayor, City Clerk and Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

4. That the following organizations be permitted to display a promotional banner across Main Street, in front of City Hall, subject to the policy guidelines and conditions approved by City Council on October 29, 1985 and September 30, 1986 on the dates indicated below and with the following messages.

ORGANIZATIONS	DATES	MESSAGE
a) Ontario Boat Shows	February 8/88 to February 15/88	"Power Boat Show"
	March 14, 1988 to March 21, 1988	"Hamilton Sail Boat Show"
b) Football Hall of Fame Induction Committee	Sept. 6/88 to Sept. 19/88	"Canadian Football Hall of Fame Welcomes Hall of Famers and 1988 Inductees"

5. (a) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of the Registry Act R.S.O. 1980, for an order to stop-up and close the "north/south alley between Province Street and Graham Avenue from the east/west alley to 18.28m south of Monterey Avenue.
- (b) That the Commissioner of Engineering be authorized and directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed.
- (c) That the documentation regarding the application to the District Court Judge be prepared by the applicant to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in District Court.

- (d) That the Applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor to the satisfaction of the Regional Surveyor and to delineate the manner in which the closed portion is to be distributed among the abutting owner(s) and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
 - (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.
 - (f) That the Director of Property be authorized to proceed with disposition of the subject lands to the abutting owner(s).
 - (g) Provided the Judge's Order to close the highway is granted:
 - i) That the City Solicitor be directed to prepare a by-law for the sale of the closed highway to the abutting owner(s).
 - ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1980, of the intention to pass the by-law.
6. (a) That Hamilton Hydro be directed to install three additional luminaires on the former Donn Avenue bus loop.
- (b) That the cost of this work estimated at \$1 500. be charged to Account No. 0352-1019 - Street Lighting.
7. That the application of Dofasco Inc. to temporarily close Depew Street between Burlington Street and Gertrude Street on December 20, 1987 from 8:00 a.m. to 5:00 p.m. to facilitate their Annual Christmas Party be approved subject to the following conditions:
- (a) That the applicant obtain "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department and at the expense of the organizing group.
 - (b) Clean-up of the street will be carried out immediately following the event at the expense of the organizing group.

- (b) Clean-up of the street will be carried out immediately following the event at the expense of the organizing group.
 - (c) The organizing group shall provide public liability insurance in the amount of \$1 000 000. naming the City as an added insured party with a provision for cross liability and shall hold the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (d) No resident within the barricaded area will be denied access to their residence upon request.
8. That the City Solicitor be authorized and directed to prepare a By-law to incorporate Block 17, Plan 62M-479 into Carriagegate Drive.
9. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale of a parcel of land on Beach Road being "an irregular parcel of land located approximately 133 ft. west of the west limit of Ottawa Street North having an average width of approximately 20 ft., an average length of approximately 218 ft. and an area of approximately 4057 sq. ft. totalling approximately 0.090 acres".
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law.
- (c) That the Director of Real Estate be directed to proceed with the disposition of the said lands to the abutting owners.
- (d) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor to the satisfaction of the Regional Surveyor and to delineate the manner in which the closed portion is to be distributed among the abutting owners and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.
- (e) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Act.
- (f) That it is the purchaser's responsibility to terminate and relocate at their own expense any existing utility affected by this closing to the satisfaction of the Commissioner of Engineering.

- (g) That the existing encroachment agreements No. 260422 A.B. and No. 350710 A.B. be discharged subject to the satisfaction of the City Solicitor.
- (h) That the appropriate Civic officials be authorized to execute the documents in relation to the agreement discharges.

10. That an Offer to Purchase executed by H. Graham Wilson, Vice-President and Secretary and Mr. Urmas Soomat, Assistant Secretary on behalf of Dofasco Inc., on October 23, 1987 and scheduled to close 60 days after the enactment of a by-law to stop up, close and sell the portion of the road allowance of Beach Road west of Ottawa Street North be approved and completed.

Note: The subject parcel is part of the road allowance of Beach Road located 133 feet (40.5 metres) west of the limit of Ottawa Street North, having an average width of 20 feet (6.09 metres) by an average depth of 218 feet (66.4 metres) more or less, containing 4 057 square feet (376.8 square metres) The purchase price of \$11 177. is to be credited to Account No. 0280-02. A certified deposit cheque in the amount of \$1 000. is being held by the Treasurer pending approval of this transaction.

The exact area of the subject parcel of land will be determined later through a survey prepared by the Purchaser. The final purchase price of the lands described herein is to be calculated by applying a rate of \$120 000. per acre applied to the land being purchased as defined by the survey. This could result in an upward or downward adjustment to the approximate purchase price.

11. (a) That an Option to Purchase in favour of the City in respect of the realty known as Municipal No. 128 Guildwood Drive executed by Janet Dove and Helen Zurbrigg on October 24, 1987 and scheduled for closing on February 25, 1988 be accepted and completed.

Note: The property under Option comprises a residential lot having a frontage of 50 feet on the northerly limits of Guildwood Drive by a depth of 150 feet complete with semi-detached residential unit thereon.

The purchase price is \$126 650. the cost of which is to be charged against Account No. 0408-X95056.

- (b) That an Option to Purchase in favour of the City in respect of the realty known as Municipal No. 332 Magnolia Drive, executed by Leslie Voros and Rosalie Voros on October 27, 1987, and scheduled for closing on June 24, 1988 be accepted and completed.

Note: The property under Option comprises a residential lot having a frontage of 47.5 feet on the southerly limits of Magnolia Drive by a depth of 150 feet, complete with semi-detached residential unit thereon.

The purchase price is \$128 225., the cost of which is to be charged against Account No. 0408-X95056.

- (c) That an Option to Purchase in favour of the City in respect of the realty known as Municipal No. 324 Magnolia Drive executed by Hubert Oscar McLelland and Alice Bradford McLelland on October 27, 1987, and scheduled for closing of May 27, 1988 be accepted and completed.

Note: The property under Option comprises a residential lot having a 50 foot frontage on the southerly limits of Magnolia Drive by a depth of 150 feet complete with semi-detached residential unit thereon.

The purchase price is \$126 650. which is to be charged against Account No. 0408-X95056.

These three parcels are required to provide a 20 foot walkway connecting the Fessenden and Gurnett Neighbourhoods, geographically separated by the future freeway. Upon establishing the walkway, the remaining portions of the properties inclusive of their dwellings will be sold on the open market on the basis of their residual value. A fourth property remains to be acquired. However, the preclusion of the fourth parcel from the assembly will not preclude immediate creation of the walkway which could be confined to 10 feet at this point. The fourth property owner, though not opposed to selling, is not prepared to transact with the City at this time in the absence of his spouse who is presently out of the country.

12. (a) That the submitted schedules for the estimated cost of services in "Greenhill Gardens - Phase 3" as approved by the Commissioner of Engineering, be adopted by inclusion in the proposed Subdivision Agreement.

- (b) That the City's share of the cost of services for this development (\$4 789.75) be approved and charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12.
 - (c) That the approval of clause (b) be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.
 - (d) That, in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, the Subdivider should be permitted to do so at his/her own risk, providing that the Subdivider enter into a Standard Agreement for Pre-Servicing.
13. (a) That the submitted schedules for the estimated cost of services in "Kenora Gardens" as approved by the Commissioner of Engineering be adopted for inclusion in the proposed Subdivision Agreement.
- (b) That the approval of clause (a) be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.
- (c) That, in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, the Subdivider should be permitted to do so at his/her own risk, providing that the Subdivider enter into a Standard Agreement for Pre-Servicing.
14. (a) That the submitted schedules for the estimated cost of services in the "High Ridge West" as approved by the Commissioner of Engineering be adopted for inclusion in the proposed Subdivision Agreement.
- (b) That the approval of clause (a) be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered.
- (c) That, in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, the Subdivider should be permitted to do so at his/her own risk providing that the Subdivider enter into a Standard Agreement for Pre-servicing.
- (d) That the City's share of the cost of services for this development (\$12 160.96) be approved and charged to the Reserve for Service through Unsubdivided Lands, Account No. 0280-12.

15. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m. Monday to Saturday" regulation on the south side of Bobolink Road commencing at a point 41 feet east of Meadowlark Drive and extending to a point 35 feet easterly therefrom be extended, such that the regulation commences at a point 40 feet east of Meadowlark Drive and extends to a point 80 feet easterly therefrom; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
16. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Limeridge Road East, commencing at a point 21 feet west of the east curb line of Leggett Crescent and extending to a point 40 feet westerly therefrom; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
17. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first eight applicants residing in the apartment building at No. 142 Caroline Street South.
18. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first three applicants residing in the apartment building at No. 95 Leeming Street.
19. (a) That a "One Hour Parking Time Limit" regulation be implemented on the east side of Ray Street South between Jackson Street West and Main Street West; and,
(b) That the City Traffic By-law 66-100 be amended accordingly.
20. (a) That a "Permit Parking" regulation be implemented on the north side of Forest Avenue between Walnut Street South and Ferguson Avenue South; and,
(b) That the Director of Traffic Services be authorized to issue one parking permit, upon request, to one resident of each of the one, two or three family dwellings abutting the block and any additional permits (to a maximum of nine) on a first come first served basis; and,
(c) That the City Traffic By-law 66-100 be amended accordingly.

21. (a) That the existing parking prohibition on the south side of Haymarket Street between Hughson Street South and a point 115 feet easterly be rescinded to allow the restoration of two parking meters; and,

(b) That the City Traffic By-law 66-100 be amended accordingly.
22. That the application by First Place (Jubilee Consultant Services) to lease a portion of the boulevard of West Avenue South, adjacent to No. 350 King Street East, be approved provided:
 - (a) That the applicant pays the annual fee in accordance with the fee structure approved by the City Council on March 25, 1986 (Current rate is \$125. per year), plus taxes, if any, in addition to the annual \$10. annual encroachment charge approved by City Council on February 14, 1984.
 - (b) That the owner pays a one time \$25. registration fee as approved by the City Council on January 14, 1986.
 - (c) That the owner complies with the requirements as set out in the policy approved by the City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.
 - (d) That the driveway approaches, parking areas and other structures as approved by the Director of Traffic Services be constructed and maintained at the owner's expense.
 - (e) That the owner executes an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, cause of action, interest, claims, demands, costs, damages, expenses and loss.
23. (a) That a School Traffic Officer be assigned to assist children crossing at the intersection of Franklin Road and East 27th Street on a temporary basis until June 1988.

(b) That the re-assignment of a School Traffic Officer at this intersection be reviewed prior to the commencement of the 1988 - 1989 School Term.

11/24/87

24. That leave be granted to introduce the following bills:

- (a) Bill No. B-93 By-law to Widen Elmore Drive by
Incorporating Therein Parts 10 and 11, Plan
62R-8311
- (b) Bill No. B-94 By-law to Amend Traffic By-law No. 66-100
To Regulate Traffic
- (c) Bill No. B-95 By-law to Amend Traffic By-law No. 66-100
To Regulate Traffic

Respectfully submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

John Thompson, Acting Secretary
November 16, 1987
mjw

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

To the Members of City Council

The Parks and Recreation Committee presents its **TWENTY-FIRST** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to **Boonstra & Reiding Ltd., Hamilton**, in the amount of \$48,347.00 including applicable taxes for the supply and installation of Two (2) Split System Dehumidifiers at Lawfield Arena, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

Note: Funds provided in Account #0408 E85011 Dehumidifiers Lawfield Arena (\$40,000) and Account #0408 A35325 Energy Conservation Programme 1983 (\$8,347).

AS THIS WORK IS TO BE COMPLETED PRIOR TO THE END OF 1987, THE ABOVE HAS BEEN PROCESSED THROUGH THE EMERGENCY PROCEDURES OF THE CITY OF HAMILTON PURCHASING POLICY.

2.
 - (a) That the City of Hamilton renew its previous lease with the Macassa Bay Yacht Club, commencing 1987 December 01 and expiring 1988 November 30, for an annual rent of \$5 000 plus taxes (estimated at \$5 347.45 for 1988).
 - (b) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.
- * 3.
 - (a) That prior to any exchange of lands between the City of Hamilton and DiCenzo Construction Company Limited involving the Olmstead Site, all burials should be scientifically documented via the necessary archaeological test excavations and placed in the appropriate and specifically delineated cemetery on site, to the satisfaction of the Ministry of Culture and Communications.

* Section 3 Referred Back
Recorded Vote, see page 3041

- (b) That subsequent to all of the Ministry of Culture and Communications' requirements with respect to archaeological test excavations and provisions for an on-site cemetery being met:
- i) A fund be calculated and set aside by the owners of the property for Perpetual Care so that the Public Works Department--Cemeteries Division can maintain this cemetery in perpetuity. The fund should be sufficient so that only the interest from the fund would be required for annual maintenance.
 - ii) An exchange between the City-owned lands and the lands presently owned by DiCenzo Construction Company Limited be negotiated by the Property Department.

Note: For the information of the members of City Council, prior to approving an exchange of City-owned land for land owned by DiCenzo Construction Company Limited, the Parks and Recreation Committee in the Spring of this year requested more information with respect to the cemetery, the extent of burial remains in the area, and an outline of what would be required of the City of Hamilton as the owner of the land to comply with the requirements of the Ministry of Culture and Communications.

Coincidentally, at this time the present owners of the land, DiCenzo Construction Limited had initiated an archaeological study within the area. Accordingly, this matter was deferred until this information was available.

Staff contacted the Ministry of Culture and Communication after which the Ministry concluded:

- That on the basis of three archaeological investigations, that unmarked Native graves exist scattered across the Olmstead village site.
- That consultation with Six Nations indicates that they are prepared to accept the proposal that an area be set aside to be designated an official cemetery, and that those burials located outside the designated area may be exhumed and re-interred in the cemetery.
- That the procedural and property management aspects of this situation appear straight forward, however the Ministry of Consumer and Commercial Relations must also be agreeable to these arrangements.

As requirements of the Ministry of Culture and Communications and the Ministry of Consumer and Commercial Relations will have to be met, and as more archaeological investigations are required to scientifically document that which is present on the land and further that the only definite known entity is the size of the City owned land which is completely useable and its value, it appears reasonable for the present owner of the land, DiCenzo Construction Company Ltd., to respond to unknown items.

4. That approval be given to the Downtown Promenade B.I.A. to arrange for a laserlite show in Gore Park from Thursday, 1987 December 10 to Wednesday, 1987 December 23.

Note: The Downtown Promenade B.I.A. and the Region of Hamilton-Wentworth's Economic Development have both contributed to this proposal and are arranging for corporate sponsorships to defray the costs of the laserlite show.

Currently it is planned that 20 minute laserlite shows would be displayed nightly shortly after 5:00 p.m. so that both shoppers and business people leaving work for the day could view the laserlites.

- * 5. That Parks located in Ward 1 be officially named as outlined on the attached Appendix "A".

Note: Spruceside Park and Highland Gardens have been excluded from Appendix "A" pending a meeting between the residents in the vicinity of the Parks and the Ward Aldermen. A recommendation with respect to these two parks will be forwarded at a later date.

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

L. Peddle, Acting Secretary
1987 November 18
lp
Attach.

* Appendix "A" to Section 5 amended, see page 3067

Section 5 referred to in
the Twenty-first Report
of the Parks and
Recreation Committee.

A P P E N D I X "A"

<u>Park Name</u>	<u>History</u>
Ainslie Wood Park	Land formerly owned by Colonel Robert C. Ainslie and known as Ainslie's Woods in the 1800's. Located in the Ainslie Wood East Neighbourhood.
Alexander Park	Formerly known as West Hamilton Park. Renamed Alexander Park by the Parks Board in honour of Governor General Viscount Alexander.
Beulah Park	Neighbourhood residents donated funds for landscaping and equipment. Name requested by area residents.
Cathedral Park	Known as Cathedral Park due to its proximity to the Church of Christ the King.
Chedoke Crossway	Former Chedoke Golf course property severed by construction of Chedoke Expressway (#403).
* Chedoke Golf Course	Former Hamilton Golf and Country Club. Named Chedoke because of Chedoke Ravine. Chedoke is an indian word meaning seven oaks.
Churchill Park	Royal Botanical Gardens property named in honour of Sir Winston Churchill.
Coronation Park	Named in honour of the Coronation of Queen Elizabeth II.
Dundurn Park	Named after Sir Allan McNab's Ancestral Home in Scotland.
H.A.A.A. Grounds	Hamilton Amateur Athletic Association Property purchased by City from Hamilton Cricket Club.
Harvey Park	Formerly known as Kent's paradise, renamed in honour of Colonel Harvey in 1894.
Jackson Playground	Known as Jackson Playground due to its location on Jackson Street.
Kay Drage Park	Named in honour of the Late Ward 1 Alderman in 1981.
Stroud Road Park	Known as Stroud Road Park due to its location on Stroud Road.
Tom Street Park	Known as Tom Street Park due to its location on Tom Street.
Victoria Park	Named in honour of Queen Victoria.
* Formerly read as Chedoke Park and Golf Course.	

REPORT OF THE PLANNING & DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **TWENTY-SECOND** Report for 1987 and respectfully recommends:

1. (a) That **APPROVAL** be given to Zoning Application 87-97, Eduardo Amaral, owner, requesting a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District, to allow the existing grocery/variety store (a legal non-conforming use) and pizza take-out (illegal) as permitted uses within the existing building, for the property located at No. 287 Locke Street South, as shown on the attached map marked as **APPENDIX "A"**, on the following basis:
 - (i) That the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the property located at No. 287 Locke Street South, be modified to include the following variance as a special requirement.
 1. Notwithstanding Section 10.(1), the following commercial uses shall be permitted:
 - (a) a grocery and variety store and pizza take-out limited to the first floor within the existing building.
 2. That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1052, and that the subject lands on Zoning District Map W-14 be notated S-1052;
 3. That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-14;
 4. That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (b) The conditions of the Hamilton-Wentworth Engineering Department be satisfied prior to the amending by-law being submitted to City Council for approval.

NOTE: The purpose of this By-law is to provide for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District for the property located at No. 287 Locke Street South.

The effect of this By-law is to allow the existing grocery and variety store and pizza take-out as permitted uses within the first floor of the existing building.

2. That **APPROVAL** be given to amended Zoning Application 84-79 Ferrell Builders Supply Limited; Adorn Investments Ltd.; Mary Henderson; Michel and Debra Garon and Walter Kohlberger, owners, to establish the following changes in zoning for lands in the area north of Queenston Road and west of Grays Road as shown on the attached map marked as **APPENDIX "B"** on the following basis:

- (a) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District;
- (b) That the lands described as Blocks 2, 5 and 7 be rezoned from "AA" (Agricultural) District and "E-2" (Multiple Dwellings) District to "G" (Neighbourhood Shopping Centre, etc.) District;
- (c) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 applicable to the lands described as Blocks 2, 5 and 7 be modified to include the following variances as special requirements:
 - (i) Notwithstanding the provisions of Section 13(1) of Zoning By-law No. 6593 the following commercial uses are prohibited:
 - 1. a restaurant or refreshment room
 - 2. a laundry or dry cleaning establishment
 - 3. a storage garage
- (d) That the lands described as Blocks 3, 4 and 6 be rezoned from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District
- (e) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14(1) of Zoning By-law No. 6593 applicable to the lands described as Blocks 3, 4 and 6 be modified to include the following variances as special requirements:

- (i) Notwithstanding the provision of Section 14(1) of Zoning By-law No. 6593 the following Industrial uses are prohibited:
 - 1. Textile and textile products
 - 2. An artificial ice plant
- (ii) That a 6.0m wide landscaped planting strip be established along the northerly limit of the "H" District lands where they abut the residential district to the north, and a 2.5m high closed fence be located within the landscaped planting strip.
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1053, and that the subject lands on zoning District Maps E-124 and E-125 be notated S-1053;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-124 and E-125;
- (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (i) That the Riverdale East Neighbourhood Plan be amended as follows:
 - (i) by redesignating Block 7 from "Commercial" to a "non-Highway Commercial" designation
 - (ii) by shifting the required landscaped planting strip and 2.5m high closed fence 6.0m in a northerly direction across the rest of the commercial properties described a Block 3, 6 and 7, which in effect would correspondingly increase the depth of the commercial development 6.0 m; and,
 - (iii) by shifting the alignment of proposed Birkendale Drive between Sylvester Street and proposed Donn Avenue 6.0m in a northerly direction.

NOTE: The purpose of the By-law is to provide for the following changes in zoning:

- (a) Block 1 Change from "AA" (Agricultural) District to the new "R-2" (Urban Protected Residential One and Two-Family Dwellings, etc.) District;
- (b) Blocks 2 5 & 7 Change from "AA" (Agricultural) District and "E-2" (Multiple Dwellings) District to "G" (Neighbourhood Shopping Centre, etc.) District, modified;

- (c) Blocks 3 4 & 6 Change from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District, modified.

In addition, the By-law provides for the following variances as special requirements:

- (a) As to Blocks 2, 5 & 7 To prohibit the following commercial uses:
- (i) a restaurant or refreshment room
 - (ii) a laundry or dry cleaning establishment
 - (iii) a storage garage
- (b) As to Blocks 3, 4 & 6 To prohibit the following industrial uses:
- (i) textile and textile products
 - (ii) an artificial ice plant

To require a 6.0 m (20 ft.) wide landscaped planting strip along the northerly limit of the "H" District lands where they abut the residential district to the north, and a 2.5 m (8.2 ft.) high closed fence within the landscaped planting strip.

3. That **APPROVAL** be given to an amended Zoning Application 87-86, Hamilton Street Railway, owner for a change in zoning from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two-Family Dwellings etc.) District (Block 1), and from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Center etc.) District (Block 2), for property at the rear of No. 973 Queenston Road as shown on the attached map marked as **APPENDIX "C"**, on the following basis:

- (a) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two-Family Dwellings etc.) District.
- (b) That the lands described as Block 2 be rezoned from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Center) District.

- (c) That the "G" (Neighbourhood Shopping Center) District regulations as contained in Section 13 of Zoning By-law No. 6593 applicable to the lands described as Block 2 be modified to include the following variances as special requirements:
- (i) Notwithstanding the provisions of Section 13(1) of Zoning By-law No. 6593 the following Commercial uses are prohibited:
1. a restaurant or refreshment room
 2. a laundry or dry cleaning establishment
 3. a storage garage
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1054, and that the subject lands on zoning District Maps E-124 and E-125 be notated S-1054.
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-124 and E-125.
- (f) That the Riverdale East Neighbourhood Plan be amended by redesignating the southerly part of Block 1 from "Attached Housing" to a "Single and Double" residential designation, and Block 2 from "attached Housing" to a "Non Highway Commercial" designation.
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for the following changes in zoning:

- (a) Block 1 - Change from "AA" (Agricultural) District to "R-2" (Urban Protected Residential - One and Two-Family Dwellings etc.) District.
- (b) Block 2 - Change from "AA" (Agricultural) District to "G" (Neighbourhood Shopping Center) District.

The effect of the By-law is to permit single family or two-family dwellings on Block 1, and to permit neighbourhood commercial development on Block 2 in conjunction with adjoining lands to the east fronting onto proposed Donn Avenue.

In addition, the By-law provides for the following By-law variances to the "G" (Neighbourhood Shopping Center) District applicable to the lands described as Block 2.

To prohibit the following commercial uses:

- (a) a restaurant or refreshment room
- (b) a laundry or dry cleaning establishment
- (c) a storage garage

4. That APPROVAL be given to Zoning Application 87-105, Hamilton/Burlington YMCA, lessee, for a modification to the "B" (Suburban Agriculture and Residential, etc.) District, to permit a Day Care Center to locate within the existing building (Sherwood Secondary School) for the property located at No. 25 High Street as shown on the attached map marked as APPENDIX "D" on the following basis:

- (a) That the "B" (Suburban Agriculture and Residential, etc.) District regulations as contained in Section 8 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 8.(1) the following additional institutional use shall be permitted:
 - 1) A Day Care Center within the existing building.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1055, and that the subject lands on Zoning District Map E-57 be notated S-1055;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-57;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the "B" (Suburban Agriculture and Residential, etc.) District regulations for the property located at No. 25 High Street.

The effect of the By-law is to permit a Day Care Center to locate within the existing building (Sherwood Secondary School).

5. That APPROVAL be given to Zoning Application 87-79, Unidevco Property Group Limited, prospective owner, for a further modification to the established "KK" (Restricted Heavy Industrial) District regulations for property municipally known as No. 35 Goderich Road, as shown on the attached plan marked as APPENDIX "E" on the following basis:
- (a) That the "KK" (Restricted Heavy Industrial) District regulations as contained in Section 17A of Zoning By-law 6593, applicable to the subject lands be amended to the extent only of the following variances as special requirements:
- (i) notwithstanding subsection 17A(1) the following,
1. RESIDENTIAL USES shall not be prohibited:
 - (a) Hotel, motel and motor hotel, having sealed windows in habitable rooms;
 2. COMMERCIAL USES shall not be prohibited:
 - (a) Banquet Centre
 - (b) Banks and Financial Institutions
 - (c) Business and Professional Persons' Offices
 - (d) Bowling Alley, Billiard Hall
 - (e) Medical Clinics
 - (f) Medical and Dental Labs
 - (g) Lawn and Garden Centres
 - (h) Retail Stores
 - (i) Laundry, Self-Serve Laundry, Dry Cleaner Pick-up
 - (j) Barber Shop, Hairdressing Salon, Beauty Parlour, Massage Parlour, Shoe Shine Parlour, or other such establishment for personal services
 - (k) Travel agencies
 - (l) Taxi Cab Services
 - (m) Restaurants, and
 - (n) Taverns
- (ii) notwithstanding subsection 17A(2) of By-law No. 6593, no building shall exceed 7 storeys, and no structure shall exceed 20m in height;
- (iii) the gross floor space for sales or storage of any of the uses in subclause 16(A)(1)(ej) of By-law No. 6593, or a combination of the uses, shall not apply.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-240C, and that the subject lands on Zoning District Map E-102 be noted S-240C;
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law NO. 6593 and Zoning District Map E-102;

- (d) That the proposed change in zoning is in conformity with the Official Plan;

NOTE: The purpose of the by-law is to provide for a further modification to the established "KK" (Restricted Heavy Industrial) District regulations for property municipally known as No. 35 Goderich Road.

The effect of the by-law is to permit development of the subject lands in conjunction with the abutting land to the north and east for a variety of commercial uses as well as allowing for a hotel, motel and motor hotel. In this regard, the By-law provides for the following variances as special requirements:

- (a) to permit retail grocery, variety store, confectionary store and lunch counter or refreshment stand without a floor space limitation (Section 16A(1)(ej))
- (b) to permit a variety of commercial uses and the hotel, motel, motor hotel which otherwise are not permitted (Section 17A(1)).
- (c) to permit buildings to have a maximum of seven storeys with a 20m (65.61 ft.) height limitation, whereas a height limitation of four storeys (17.0m or 55.8 ft.) would apply (Section 17A(2)).

6. That Zoning Application 87-108, Hamilton-Wentworth Head Injury Association, prospective owner, requesting a modification to the "DE-2" (Multiple Dwellings) District regulations to permit the conversion of a three family dwelling for a residential care facility for eight (8) persons recovering from head injuries, for the property located at No. 100 Barnesdale, as shown on the attached map marked as APPENDIX "F", be DENIED for the following reasons:

- (a) There are two existing residential care facilities located within 180 m of the subject lands and several more within 360m. The intent of the radial separation distance is to avoid an over-saturation of these facilities in any one neighbourhood. Approval of the application would only intensify the concentration of residential care facilities within one area.
- (b) it would set an undesirable precedent for future similar applications.

NOTE: For the information of the members of City Council, the Planning and Development Committee have agreed to work with the Hamilton-Wentworth Head Injury Association in finding a suitable location for this facility.

7. (a) That Clause (d) of Section 6 of the 19th Report of the Planning and Development Committee adopted by City Council on 1987 October 13th be amended by striking out "RT-10" in the second line and substituting "RT-20"; and
- (b) That the City Solicitor be authorized and directed to prepare a By-law to repeal By-law No. 87-322 passed by City Council on 1987 November 10th; and to prepare a By-law identical with By-law No. 87-322 except to include the change referred to in Clause (a), above.

NOTE: By-law No. 87-322 rezoned land located on the south side of Stone Church Road East, in the area east of Upper Wellington Street. This By-law was enacted following Council's approval of ZA-87-51 on 1987 October 13th.

8. That the Chairman or his designate be authorized to attend an A.M.O. Seminar entitled, "Lot Levies: A Developing Issue" to be held on Friday, 1987 November 20th in Rexdale, Ontario.
9. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below.
 - (a) 255 Young Street
 - (b) 213 Belmont Avenue
 - (c) 215 Belmont Avenue
 - (d) 141 Belview Avenue
 - (e) 151 Belview Avenue
 - (f) 155 Belview Avenue
 - (g) 213 Brant Street
 - (h) 13 Gerrard Street
 - (i) 14 Gerrard Street
 - (j) 386 Birch Avenue
 - (k) 397/399 Sherman Avenue North
10. That By-law No. 85-14, prescribing a tariff of fees in relation to anticipated administrative costs, be appropriately amended to reflect a fee increase from the present \$150 to \$180 for applications to the Committee of Adjustment effective 1988 January 4.

NOTE: The present \$150 application fee for applications to the Committee of Adjustment has not been altered for approximately three years. A projection of 1988 volumes and costs appears to reflect a cost of about \$180 per application and it is felt that the present fee should be adjusted.

11. That the following four (4) O.H.R.P. applications **BE APPROVED**, and that the Department of Community Development be authorized to process grants/loans in an amount not to exceed \$7 500:

- (a) H. Walker
8 Albany Avenue
- (b) A. Gilmour
36 Bayfield Avenue
- (c) M. Smith
21 Lorne Avenue

NOTE: The actual amount of grant or loan will be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.S.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.).

12. (a) That, in accordance with Schedule "A" attached hereto and marked as **APPENDIX "G"**, The 1988 operating budget of the International Village Business Improvement Area be approved in the amount of seventy thousand dollars (\$70 000); and,
- (b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1988 budget as referenced in (a) above; and,
- (c) That, the following Schedule of Payments for 1988, be approved:

February 1	\$25 000
June 1	\$25 000
September 1	\$ 9 500
Shortfall	<u>\$10 500</u>
TOTAL	\$70 000

13. (a) That the Community Improvement Plan for Barton Street East from Wellington to Wentworth Streets (Barton Street East One B.I.A.) attached hereto and marked as **APPENDIX "H"** be **ADOPTED** in order to implement the Commercial Facade Loan Programme and the Commercial Improvement Programme; and,
- (b) That the area, as shown on the map attached hereto as **APPENDIX "I"**, be **ADOPTED** as a Community Improvement Project Area; and
- (c) That the City Solicitor be hereby authorized and directed to prepare the requisite by-law; and,

- (d) That, the City Solicitor be hereby authorized to submit to the Province, through the Ministry of Municipal Affairs, the Community Improvement Plan for Barton Street East for their approval.

NOTE: On 1987 June 23, By-law 87-178 was passed designating the area as a Business Improvement Area. Subsequent to this, on 1987 October 28 a Public Meeting was held to present the Community Improvement Plan. The Planning Act, Section 28, Sub-section 7 (1983) stipulates that, "For the purpose of carrying out the community improvement plan the municipality may make grants or loans to the registered owners or assessed owners of lands and buildings within the community improvement project area to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan." In order to implement the Commercial Facade Loan Programme and the Commercial Improvement Programme within the Barton General B.I.A., the Community Improvement Plan must be adopted by by-law and approved by the Ministry of Municipal Affairs.

14. That an Offer to Purchase the lands of The Corporation of the City of Hamilton, Lot 43, Plan M-227, Hamilton Industrial Park No. 1 located on Lancing Drive, duly executed on 1987 November 2, by the Purchasers, Elio Pietrantonio and Maria Angela Pietrantonio and scheduled for closing on 1988 January 26, be **APPROVED** and **COMPLETED**.

NOTE: The purchase price is \$65 000. A deposit cheque in the amount of \$7 695 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the northern limit of Lancing Drive, having a frontage of 197.53 feet by a depth of 375.44 feet/377.12 feet and containing an area of 1.71 acres.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto and marked as **APPENDIX "J"**.

15. That an Offer to Purchase an irregular shaped parcel of vacant land located on the southerly limit of York Boulevard between Hess Street North and Queen Street North to Douglas L. Nash and Brian W. Morison, scheduled for closing on or before 1987 October 29, be **EXTENDED** to close on or before 1988 January 14.

NOTE: The extension is to be granted on the understanding that all other terms and conditions agreed to within the Offer to Purchase will remain unchanged, and time will remain of the essence.

16. That an offer to Purchase the lands of The Corporation of the City of Hamilton, being Lot 40, Plan M-227, Hamilton Industrial Park #1, located on Nebo Road, duly executed on 1987 October 19, by the Purchasers, J. Piano, Lupo Mucci and Joe Licatolosi and scheduled for closing on 1988 March 29, be **APPROVED** and **COMPLETED**.

NOTE: The purchase price is \$136 000. A deposit cheque in the amount of \$13 600 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the eastern limit of Nebo Road, having a frontage of 206.36 feet by a depth of 567.23 feet/618.89 feet and containing an area of 2.723 acres.

It is understood and agreed that the Vendor upon completion of this transaction will pay a Real Estate Commission on the following basis to Riverco Real Estate Limited, 1362 Main Street East, Hamilton, Ontario L8K 1B7, whose agent, Mr. Peter Strus, acted in this matter.

1st \$100 000 of Purchase Price - 5%
2nd \$100 000 of Purchase Price - 4%

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto and marked as **APPENDIX "K"**.

17. That an Offer to Purchase the lands of The Corporation of the City of Hamilton, being Lot 39, Plan M-227, Hamilton Industrial Park #1, located on Nebo Road, duly executed on 1987 October 22 by the Purchasers, Luigi DelSordo and Maria DelSordo and scheduled for closing on 1988 March 29, be **APPROVED** and **COMPLETED**.

NOTE: The purchase price is \$124 000. A deposit cheque in the amount of \$12 400 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the eastern limit of Nebo Road, having a frontage of 206.05 feet by a depth of 516.95 feet/567.33 feet and containing an area of 2.487 acres.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto and marked as **APPENDIX "L"**.

18. That an Offer to Purchase City owned lands at Municipal No. 405 York Boulevard, by Jubille Consultants Services, Hamilton, which was scheduled to close on 1987 September 30th, be **EXTENDED** to close on or before 1988 March 2nd. All other terms and conditions to remain the same, and time to remain of the essence.
19. (a) That **APPROVAL** be given for the City to release Gerald Vulker and John Popaleni of the covenants in the agreement regarding Parts 1, 2 and 3 on Plan 62R-2571, between Gerald Vulker and John Popaleni and the City of Hamilton, registered on 1976 May 27 as Instrument 15303 CD.
- (b) That the City Solicitor take the necessary action to finalize this release.

NOTE: In 1975, City Council approved the severance of a lot at 1422 Upper Sherman Avenue subject to the following conditions:

- (a) Establishment of a 1' reserve around the perimeter of the remaining lands shown as Parts 1 and 2 on Plan 62R-2571.
- (b) The Owners covenant and agree to deliver to the City, on the execution of this Agreement by the said City a deed in registerable form to Parts 4 and 5 as set out in the plan deposited as 62R-2571.
- (c) The City covenants and agrees to hold such Parts 4 and 5, In Trust, for the Owners on the following terms:
- (i) when sewer and water services have been installed on Upper Sherman Avenue, the Owners are to have the right to re-purchase said Parts 4 and 5 from the City of Hamilton for One Dollar (\$1) plus any taxes and local improvements allocated to said Parts 4 and 5 during the period of time they are held by the City.
- (ii) the Owners are to maintain and cut the weeds on the lands remaining to them, and to maintain any building on these lands, and they are to have a right-of-way over said Parts 4 and 5 for such purposes.

On 1987 September 14, a request was received from R. Barry Caskie, Solicitor for the Owners to release the covenants in this agreement.

As sewer and water services have been installed on Upper Sherman Avenue, and all other conditions of the covenants have been complied with, it is recommended to release the covenants in the agreement.

20. That the Corporation of the City of Hamilton accept the sum of \$35 040.77 as cash payment in lieu of 5% dedication in connection with "Ridgeview Estates - Phase 2", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

NOTE: These lands are located east of Upper Wentworth Street and south of Stone Church Road in the Butler Neighbourhood, Hamilton.

21. (a) That the City of Hamilton enter into a Heritage Easement Agreement with the MacNab Street Presbyterian Church subject to the satisfaction of the City Solicitor, and
- (b) That the Mayor and City Clerk be authorized and directed to execute this agreement.

NOTE: The Provincial Government has awarded a heritage grant of \$108 308 for the restoration of the church buildings on the condition that the church be designated under the Ontario Heritage Act and that a heritage easement between the property owners and the City be executed. The designation by-law was approved by Council on 1987 August 25.

22. That the Regional Municipality of Hamilton-Wentworth be requested to grant one year extensions to the draft approval for Battleridge Subdivision (Regional File No. 25T-76024) and Wisemount Forest Survey - Phase 3 Subdivision (Regional File No. 25T-83004).

23. (a) That **APPROVAL** be given for Subdivision Application 87-18, T. J. Cooper and M. J. Cooper, owners, to establish a draft plan of subdivision located south of Rymal Road, west of Christie Street and north of the Ontario Hydro Electric Power Transmission line, subject to the following conditions:
- (i) That this approval apply to the plan proposed by Ashenhurst-Nouwens Limited, dated 1987 June 15, revised to show 48 lots, one block for park purposes, two blocks for open space and drainage purposes, a 2 m. x 2 m. daylight triangle, appropriate radii and a 20 m. width on the cul-de-sac as shown on the draft approval plan.

- (ii) That the road allowances be dedicated as public highways on the final plan.
 - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iv) That the final plan conform with the Zoning By-law approved under the Planning Act.
 - (v) That the owner convey 5% of the lands included in the plan to the City of Hamilton for park purposes, said conveyance to comprise of Block "49".
 - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (vii) The owner is to convey blocks "50" and "51" to the City of Hamilton for open space and drainage purposes.
 - (viii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot on the final plan.
 - (ix) That the owner shall erect a sign in accordance with Section X of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (x) That Final Approval for this plan of subdivision not be given prior to the establishment of the Twenty Mile Creek Sanitary Trunk Sewer.
 - (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner providing for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-18), Thomas J. Cooper and Marjorie J. Cooper, owners, proposed draft plan of subdivision and that the City execute the agreement when said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

24. That leave be granted to introduce the following Bills:

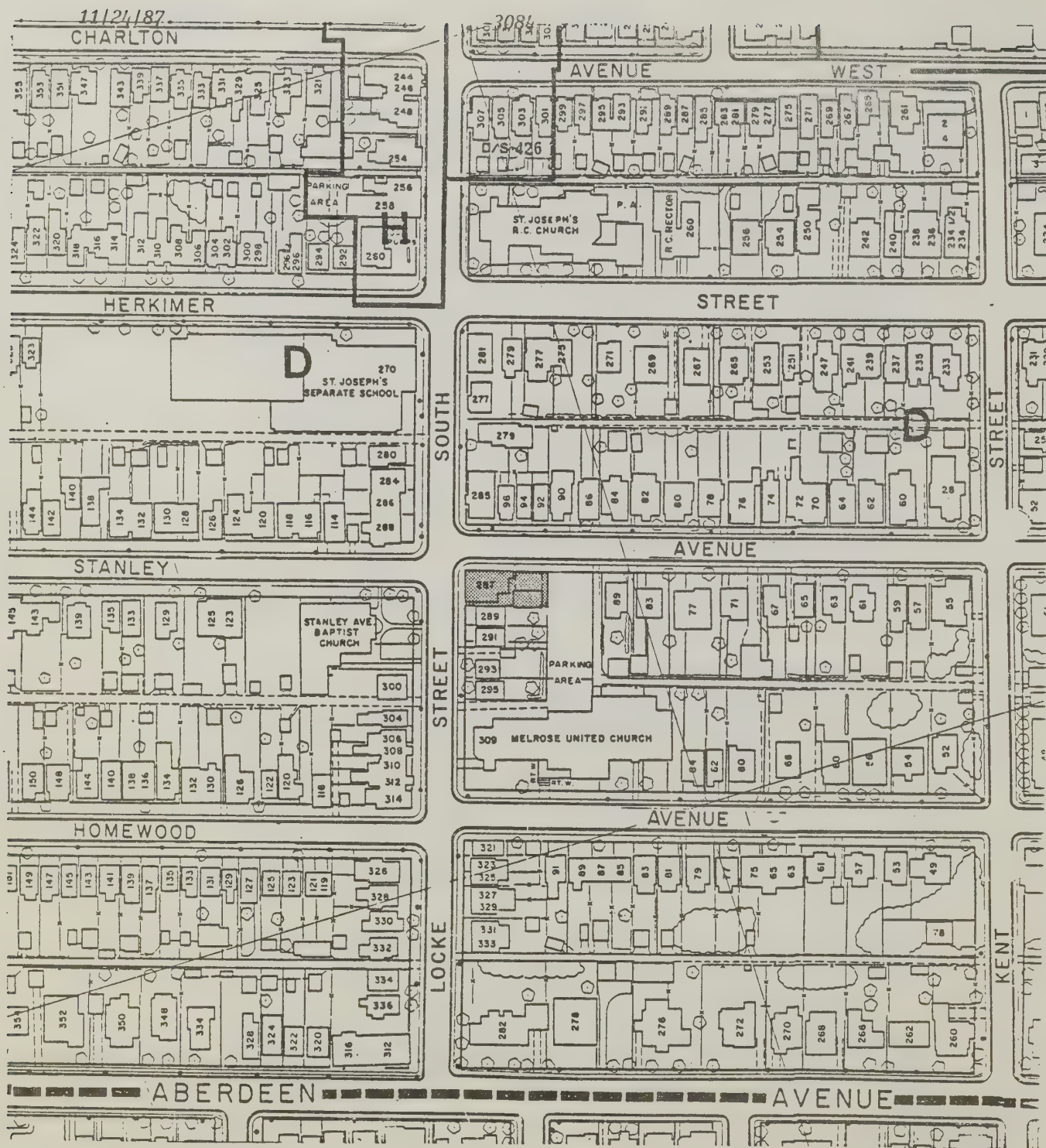
- (a) Bill D-144 By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 956 Rymal Road East.
- (a) Bill D-145 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the East Side of Upper Wentworth Street Between Stone Church Road East and Rymal Road East.
- (b) Bill D-146 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1198 Stone Church Road East.
- (c) Bill D-147 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of Upper Sherman Avenue in the Area North of Limeridge Road East.
- (d) Bill D-148 By-law to Adopt Official Plan Amendment No. 53 Respecting Land Located at Municipal No. 418 Limeridge Road East.
- (e) Bill D-149 By-law to Change the Name of Aimee Avenue to Rockview Avenue, Fiona Court to Joseph Court, Greenguild Court to Francesca Court, Greencedar Court to Cedarlawn Court, Como Drive to Como Place.
- (f) Bill D-150 By-law to Repeal Zoning By-law No. 87-322 Respecting Lands Located on the South Side of Stone Church Road East, in the Area East of Upper Wellington Street.
- (g) Bill D-151 By-law to Amend Zoning By-law No. 6593 Respecting Lands located on the South Side of Stone Church Road East, in the Area East of Upper Wellington Street.
- * (h) Bill D-129 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1088 Main Street West.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING & DEVELOPMENT COMMITTEE

S. K. Reeder
Acting Secretary
1987 November 11

* Recorded Vote, see page 3041



LEGEND

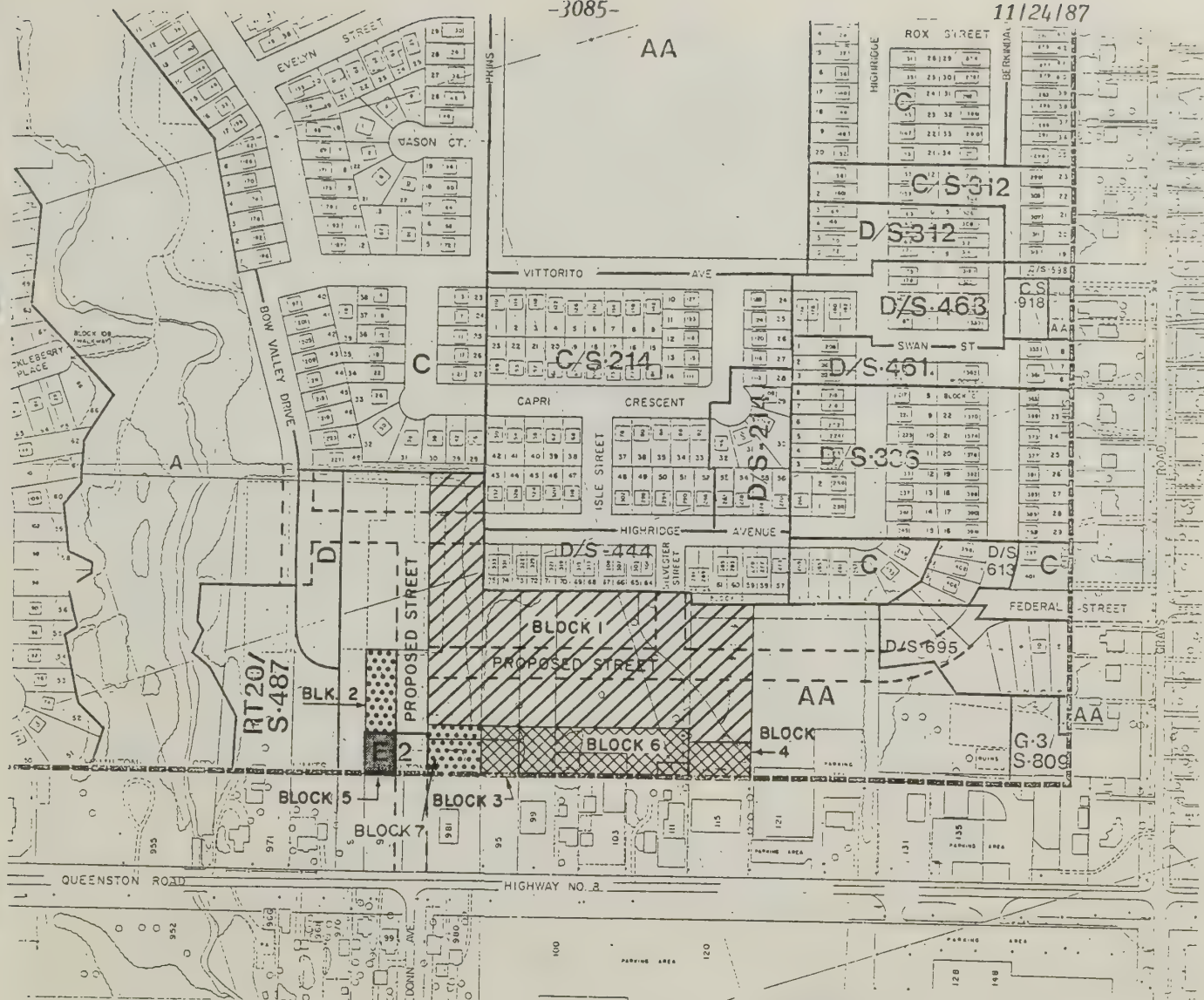


SITE OF THE APPLICATION

APPENDIX "A" as referred to in Section 1 of the 22nd Report of the Planning & Development Committee







ZA 87-97



LEGEND

PROPOSED CHANGES IN ZONING:

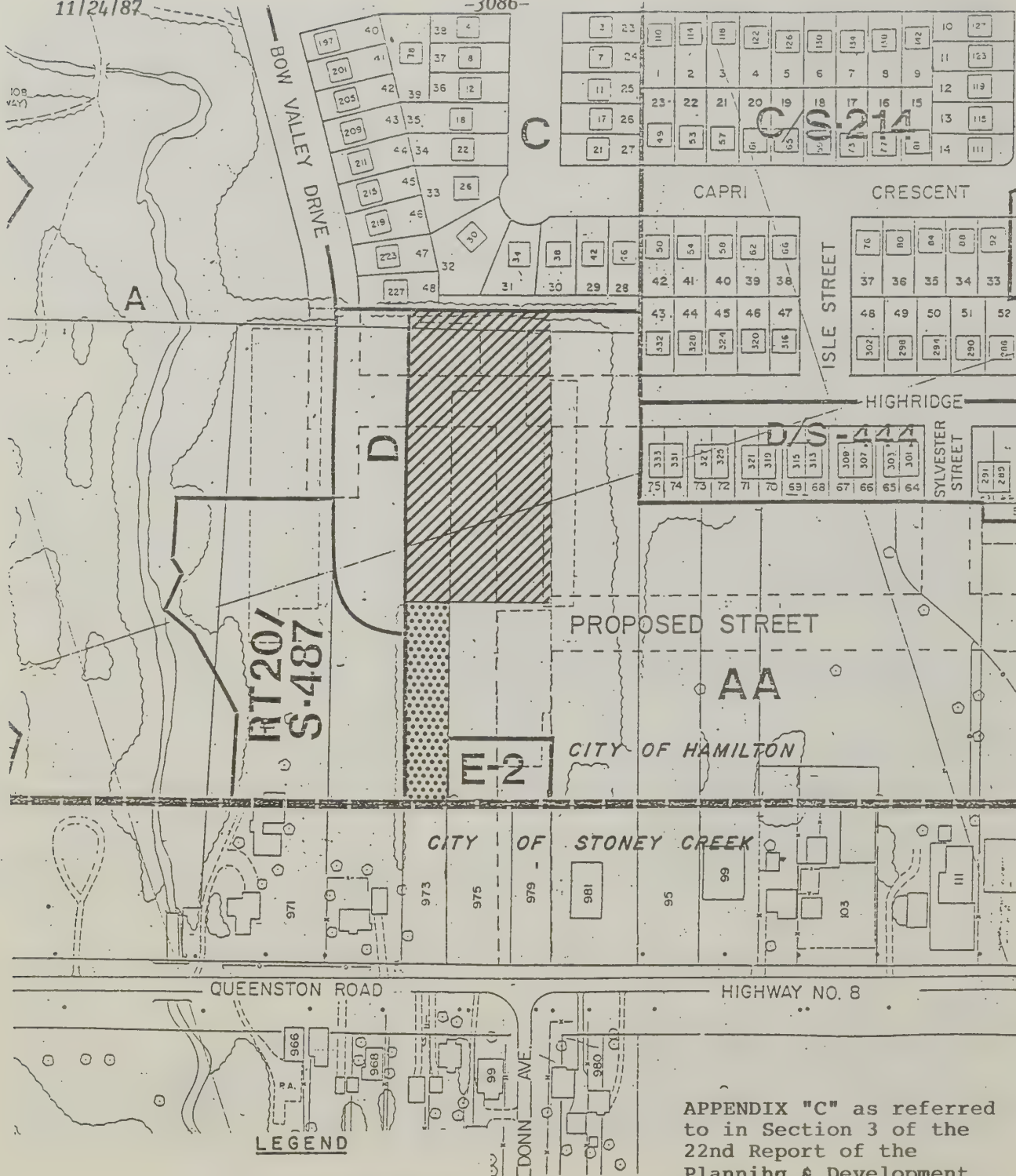
- BLOCK 1  FROM "AA" (AGRICULTURAL) DISTRICT TO "R-2" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS, ETC.) DISTRICT.
- BLOCKS 2 & 7  FROM "AA" (AGRICULTURAL) DISTRICT TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.
- BLOCK 5  FROM "E-2" (MULTIPLE DWELLINGS) DISTRICT TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT, MODIFIED.
- BLOCKS 3, 4 & 6  FROM "AA" (AGRICULTURAL) DISTRICT TO "H" (COMMUNITY SHOPPING AND COMMERCIAL, ETC.) DISTRICT, MODIFIED.

APPENDIX "B" as referred to in Section 2 of the 22nd Report of the Planning & Development Committee

ZA-84-79

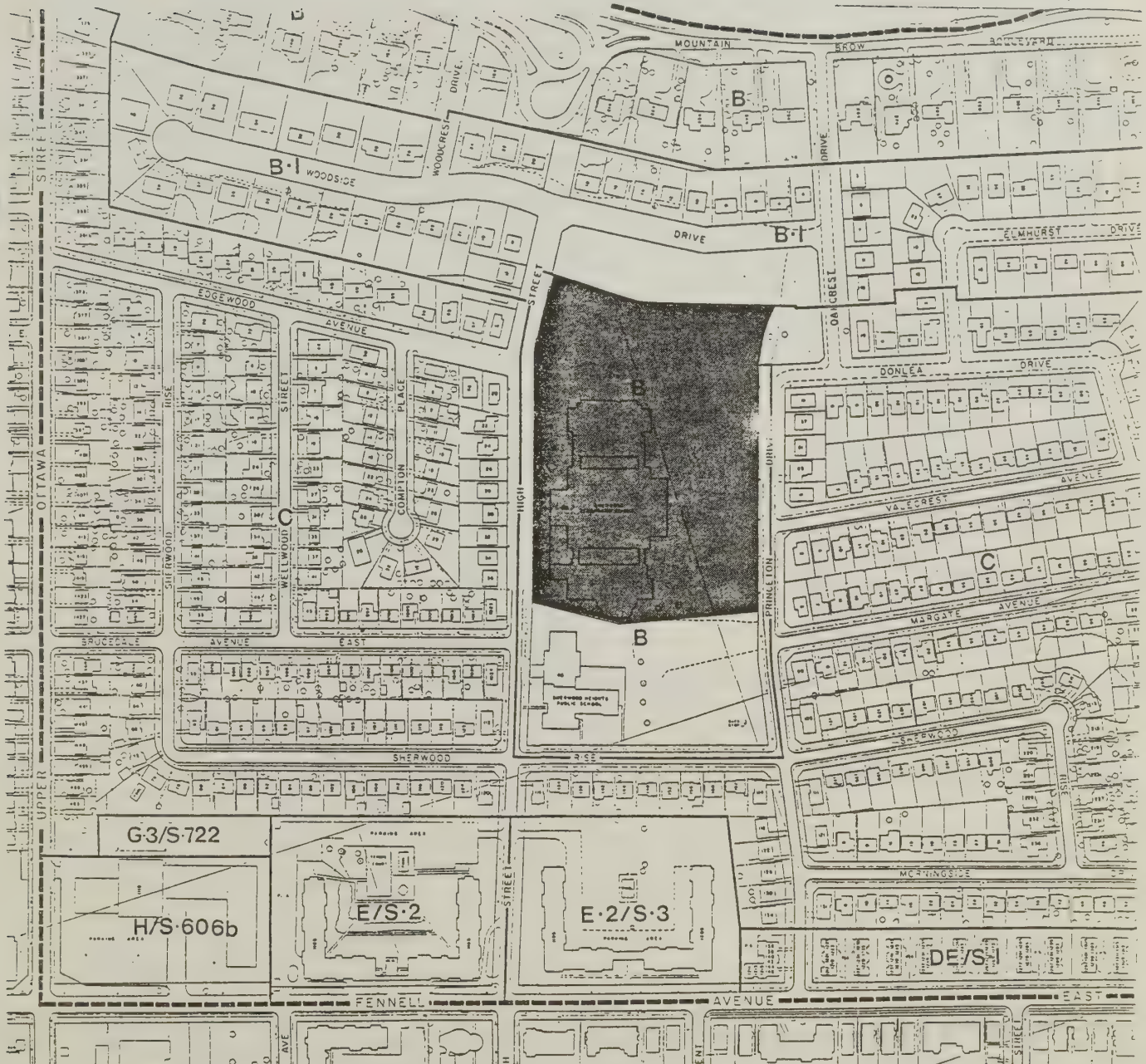
11/24/87

-3086-



APPENDIX "C" as referred to in Section 3 of the 22nd Report of the Planning & Development Committee

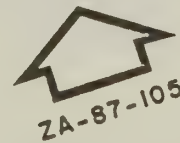
7A-87-86



LEGEND



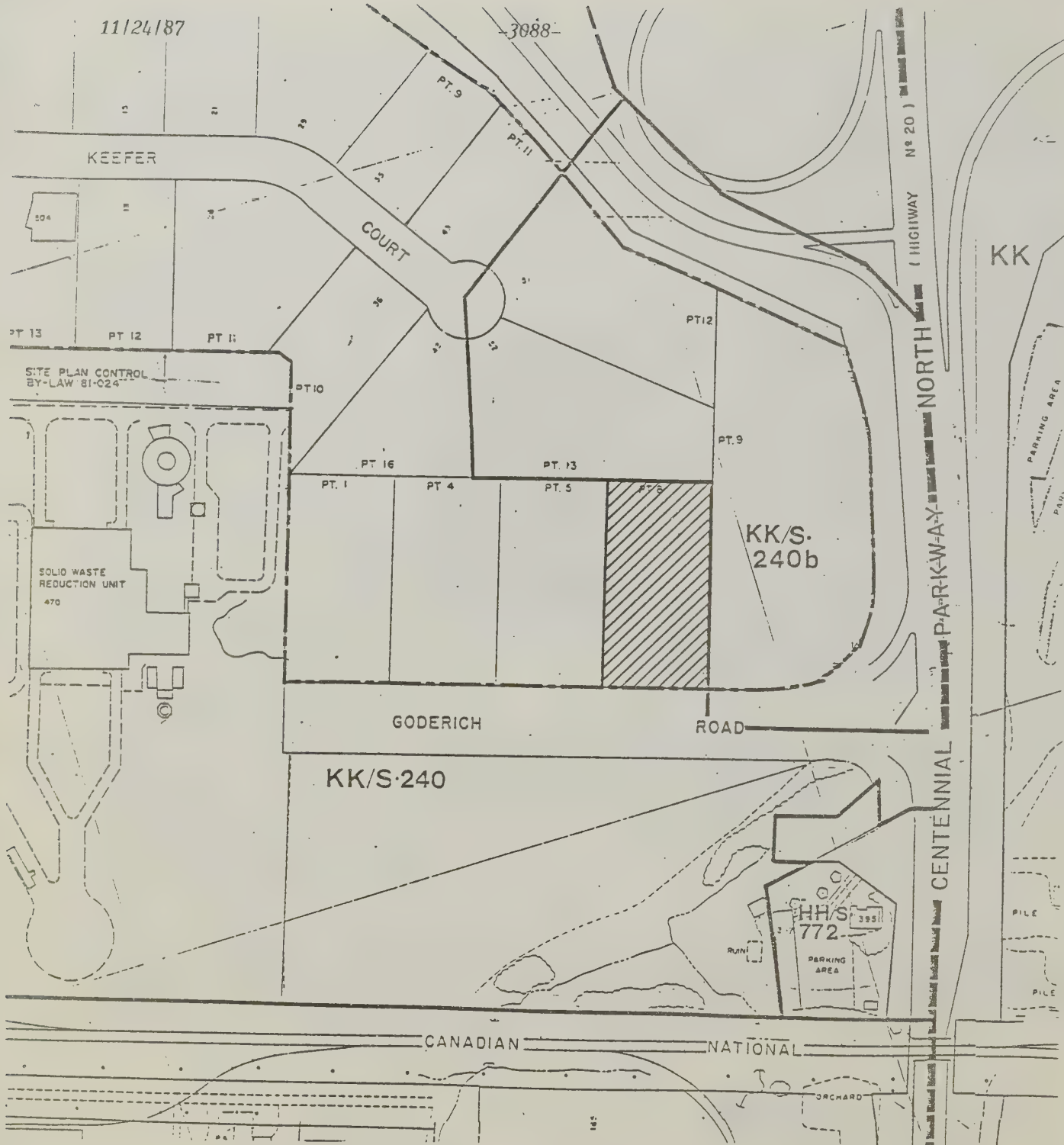
SITE OF THE APPLICATION



APPENDIX "D" as referred
to in Section 4 of the
22nd Report of the
Planning & Development
Committee

11/24/87

3088

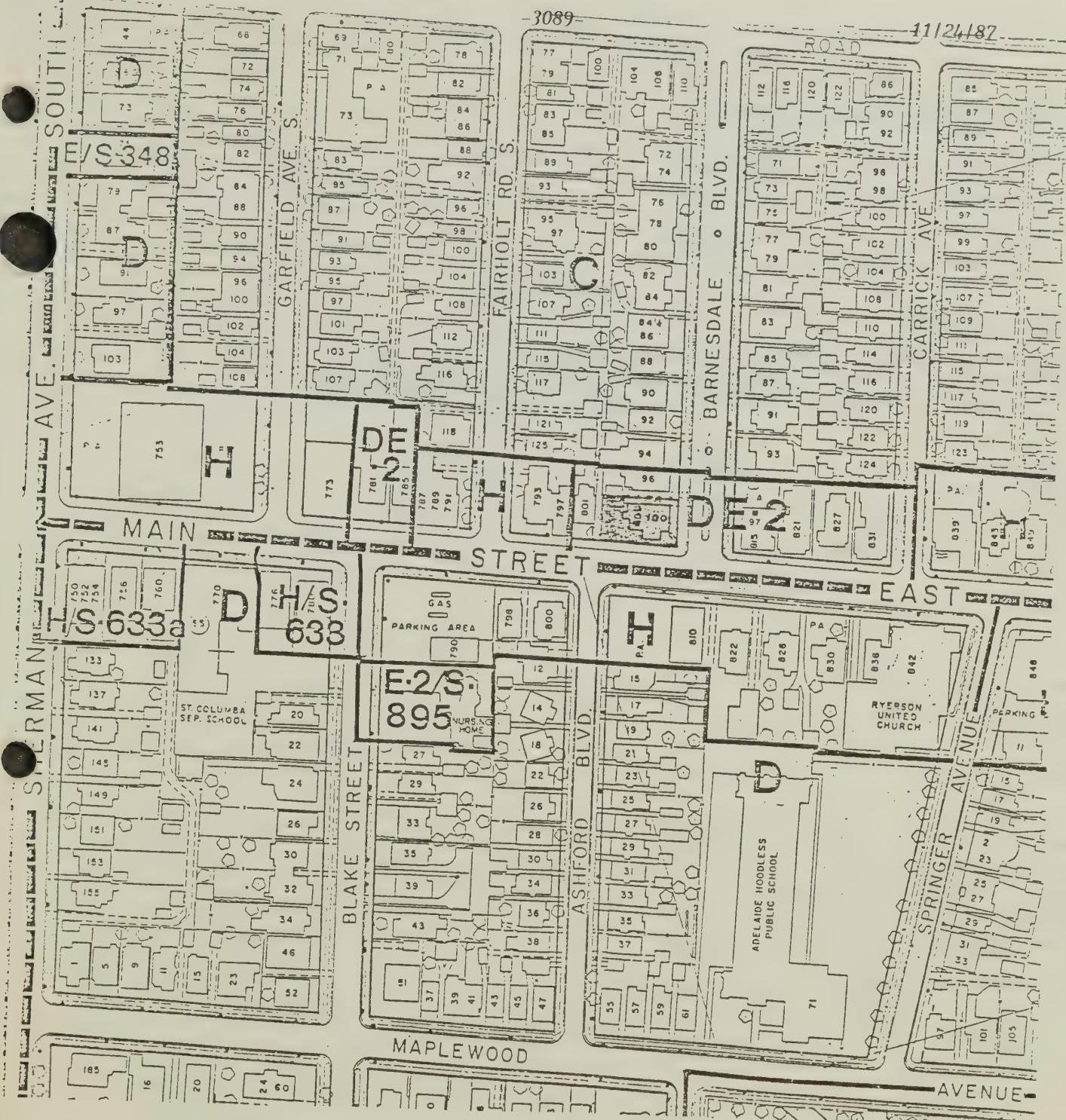


LEGEND

 SITE OF THE APPLICATION



APPENDIX "E" as referred
to in Section 5 of the
22nd Report of the
Planning & Development
Committee



LEGEND



SITE OF APPLICATION

APPENDIX "F" as referred
to in Section 6 of the
22nd Report of the
Planning & Development
Committee

1988 Advertising/Promotion Budget

Total estimated budget =	\$70,000.00
15% contingency fee =	-10,500.00
Insurance fee =	<u>- 2,000.00</u>
1988 Promotions/Advertising	\$57,500.00

Estimated Expenses

Promotions/Promotional printing: Includes expenses for entertainment, sound, staging, balloons, posters, table rentals, banners, casual help. Also promotional printing of newsletters, notices, invites, ballots.

Consumer Show	=	500.00
Spring Sidewalk Sale	=	1500.00
Mother's Day	=	1000.00
Father's Day	=	1000.00
Summer in the City	=	5000.00
International Streetfest	=	5000.00
Christmas	=	<u>6000.00</u>
Promotions	=	\$20,000.00
Newspaper advertising	=	12,000.00
Cost of space for the year in Brabant and Spectator		
Magazine/Directory	=	4,500.00
Radio	=	4,000.00
Creative/Coordinator	=	13,200.00
Writing and coordinating newspaper, radio, promotions, newsletter, etc.		
Artwork production	=	<u>3,800.00</u>
Total Estimated Expenses	=	\$57,500.00

APPENDIX "G" as referred to in Section 12 of the 22nd Report of the Planning & Development Committee

11/24/87

APPENDIX "H" as referred
to in Section 13 of the
22nd Report of the
Planning & Development
Committee

APPENDIX "A"

BARTON GENERAL COMMUNITY IMPROVEMENT

PROJECT AREA

COMMUNITY IMPROVEMENT PLAN

OCTOBER 1987

BARTON GENERAL COMMUNITY IMPROVEMENT PROJECT AREA

PURPOSE:

TO ESTABLISH A PLAN FOR THE BARTON GENERAL COMMUNITY IMPROVEMENT PROJECT AREA IN ORDER TO IMPLEMENT THE CORPORATION OF THE CITY OF HAMILTON'S COMMERCIAL FACADE LOAN PROGRAMME AND THE COMMERCIAL IMPROVEMENT PROGRAMME.

PREFACE:

THE WITHIN PLAN CONSTITUTES THE CORRESPONDING COMMUNITY IMPROVEMENT PLAN FOR THE BARTON GENERAL COMMUNITY IMPROVEMENT PROJECT AREA WHICH ALSO WILL BE DESIGNATED BY BY-LAW, BY THE CITY OF HAMILTON COUNCIL.

INTRODUCTION:

WARDS (2) AND (3) ARE REFERENCED IN THE OFFICIAL PLAN, BARTON STREET EAST IS ONE OF THE MAJOR CONTINUOUS COMMERCIAL STRIPS IN THESE WARDS. TO ENCOURAGE CUSTOMERS TO UTILIZE THIS SERVICE, BUFFER TREATMENT IN THE FORM OF PLANTERS, HANGING FLOWER BASKETS, BENCHES AND POSSIBLY BRICK PAVERS, ETC. SHOULD BE IMPLEMENTED. THE OFFICIAL PLAN STATES: "COUNCIL WILL UNDERTAKE TO KEEP IN A FIT AND WELL MAINTAINED CONDITION ALL MUNICIPAL PROPERTIES AND OTHER PUBLIC WORKS." (SUB-SECTION C.5, S.4). AN IMPORTANT ASPECT OF IMPROVING VISUAL APPEARANCE OF THIS AREA INVOLVES UPGRADING OF EXISTING BUILDING FRONTS, NOT ONLY FROM THE POINT OF VIEW OF STREETSCAPE, BUT ALSO A TOOL FOR MERCHANTS TO IMPROVE THEIR OWN IMAGES. SINCE THE AVERAGE AGE OF THE EXISTING BUILDINGS IS APPROXIMATELY (80) EIGHTY YEARS OF AGE, THERE IS A NEED TO ENCOURAGE INDIVIDUAL OWNERS OF BUILDINGS TO RENOVATE VIA STREETSCAPE AND AVAILABILITY OF LOANS AND GRANTS I.E. FACADE LOAN, LOW-RISE, CONVERT-TO-RENT PROGRAMMES, COMMERCIAL IMPROVEMENT PROGRAMME.

IN ADDITION TO INCREASING THE ATTRACTIVENESS AND COMMERCIAL VIABILITY OF THE AREA, THROUGH STREETSCAPE IMPROVEMENTS, RENOVATION WILL INCREASE THE UTILIZATION OF EXISTING BUILDINGS; PREVIOUSLY UNUSED SPACE CAN BE TRANSFORMED INTO OFFICE OR APARTMENTS, ADDING TO THE VARIETY AND SAFETY OF THE BARTON STREET EAST AREA. TOGETHER, PUBLIC AND PRIVATE EFFORTS WORK TOWARDS THE GOAL OF ESTABLISHING AN ATTRACTIVE AND ECONOMICALLY HEALTHY SHOPPING AND MULTI-FUNCTIONAL CENTRE FOR THE BARTON STREET, NORTH-EAST AREA OF HAMILTON.

AS WELL, THE CITY OF HAMILTON BY BY-LAW #87-178 PASSED THE 23RD DAY OF JUNE, 1987 ADOPTED A BUSINESS IMPROVEMENT AREA FOR BARTON STREET EAST FROM WELLINGTON TO WENTWORTH STREETS, WHICH IS SIMILAR, IN AREA, TO THE COMMUNITY IMPROVEMENT PROJECT AREA.

- 2 -

COMMERCIAL FACADE LOAN PROGRAMME BACKGROUND:

IN A REPORT SUBMITTED BY THE COMMUNITY DEVELOPMENT DEPARTMENT DATED 1985 DECEMBER 10 AND INCLUDED IN ITS CAPITAL BUDGET SUBMISSION, THE PLANNING AND DEVELOPMENT COMMITTEE APPROVED THE ESTABLISHMENT OF A NEW COMMERCIAL FACADE LOAN PROGRAMME. SUBSEQUENTLY, CITY COUNCIL GAVE THE DEPARTMENT OF COMMUNITY DEVELOPMENT AUTHORIZATION TO PROCEED WITH IMPLEMENTATION OF THE COMMERCIAL FACADE LOAN PROGRAMME BY ADOPTING ITEM 10 OF THE TWELFTH REPORT FOR 1986 OF THE PLANNING AND DEVELOPMENT COMMITTEE, 1986 JUNE 24.

THE BARTON GENERAL BUSINESS IMPROVEMENT AREA, DESIGNATED AS A COMMUNITY IMPROVEMENT PROJECT AREA UNDER SECTION 28 OF THE PLANNING ACT, 1983, ALONG WITH THIS COMMUNITY IMPROVEMENT PLAN, ENABLES THE COMMERCIAL FACADE LOAN PROGRAMME TO BE IMPLEMENTED. THIS PROGRAMME IS DESIGNED TO PROVIDE LOW INTEREST LOANS TO OWNERS OF COMMERCIAL PROPERTIES LOCATED WITHIN BUSINESS IMPROVEMENT AREAS (B.I.A.'s). THE MAXIMUM LOAN AMOUNT IS ESTABLISHED AT \$15,000 PER MUNICIPAL ADDRESS AT AN INTEREST RATE OF ONE-HALF THE RATE AT WHICH THE CITY COULD BORROW THE MONEY. THE LOANS WILL BE AMORTIZED OVER TEN (10) YEARS. THE ATTACHED APPENDIX "B" CONSTITUTES THE COMMERCIAL FACADE LOAN PROGRAMME GUIDELINES. SCHEDULE "A" IS A MAP OF THE COMMUNITY IMPROVEMENT PROJECT AREA, OR AREA OF IMPLEMENTATION.

COMMERCIAL IMPROVEMENT PROGRAMME BACKGROUND:

AT ITS MEETING HELD 1986, AUGUST 13, THE PLANNING AND DEVELOPMENT COMMITTEE REQUESTED THE DEPARTMENT OF COMMUNITY DEVELOPMENT TO UNDERTAKE THE PREPARATION OF A LONG TERM STRATEGIC PLANNING AND MANAGEMENT PLAN FOR EVALUATING FINANCIAL REQUESTS FOR ACTIVE AND FUTURE BUSINESS IMPROVEMENT AREAS (B.I.A.'s) IN THE CITY OF HAMILTON. SUBSEQUENTLY, ON 1986 SEPTEMBER 10, THE DEPARTMENT OF COMMUNITY DEVELOPMENT PROVIDED A FOLLOW-UP REPORT AND CAPITAL BUDGET SUBMISSION ADDRESSING THE COMMERCIAL IMPROVEMENT PROGRAMME. ON 1987 JANUARY 29, CITY COUNCIL APPROVED THE DEPARTMENT OF COMMUNITY DEVELOPMENT'S CAPITAL BUDGET SUBMISSION OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000) PER YEAR FOR THE NEXT FIVE (5) YEARS FOR A TOTAL OF TWO MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000), FOR THE COMMERCIAL IMPROVEMENT PROGRAMME. CITY COUNCIL, AT ITS MEETING HELD 1987 MAY 26, ADOPTED ITEM #1 FROM THE 12TH REPORT OF THE EXECUTIVE COMMITTEE FOR 1987, RECOMMENDING THAT THE COMMERCIAL IMPROVEMENT PROGRAMME BE PROCEEDED WITH AT AN ESTIMATED GROSS COST OF TWO MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000). BETWEEN FEBRUARY AND MAY OF 1987, SUBMISSIONS WERE ACCEPTED FOR THE PROGRAMME FROM ALL ELIGIBLE B.I.A.'s.

PRESENTLY, THERE ARE SIX (6) B.I.A.'S IN THE CITY OF HAMILTON:
i) INTERNATIONAL VILLAGE; ii) OTTAWA STREET; iii) WESTDALE
VILLAGE; iv) DOWNTOWN PROMENADE; v) JAMESVILLE; AND vi)
CONCESSION STREET. OTHER B.I.A.'S ARE EXPECTED TO BE FORMED OVER
THE NEXT FIVE (5) YEARS; HOWEVER, THEY WILL NOT BE ELIGIBLE FOR
THE COMMERCIAL IMPROVEMENT PROGRAMME UNTIL THEY HAVE BEEN IN
EXISTENCE FOR AT LEAST ONE (1) YEAR.

THE BARTON GENERAL B.I.A. WILL, THEREFORE, BE ELIGIBLE TO MAKE
SUBMISSIONS TO THE CITY OF HAMILTON IN 1988. ATTACHED AS
SCHEDULE 'C' IS THE COMMERCIAL IMPROVEMENT PROGRAMME AND
SELECTION CRITERIA.

NOTE: Schedule "C" is available from the
Acting Secretary upon request

CONCLUSION:

THE COMMUNITY IMPROVEMENT PLAN IS INTENDED TO BE ACTION ORIENTED, CONCENTRATING ON REHABILITATION OF EXISTING BUILDING FRONTAGES, RATHER THAN REDEVELOPMENT OR LARGE SCALE IMPROVEMENTS. OTHER IMPROVEMENT CHANGES WOULD INCLUDE MAINTENANCE AND CAMOUFLAGING OF UTILITY SERVICES AS STATED IN THE OFFICIAL PLAN: "UTILITY SERVICES SHOULD BE CAMOUFLAGED, AND IF APPROPRIATE, PLACED UNDERGROUND" (SUB-SECTION B.4.4.3). THE BEST APPROACH TO REVITALIZATION AND ENHANCEMENT OF BARTON STREET'S ROLE IN THE COMMERCIAL HIERARCHY OF THE CITY, IS TO RECOGNIZE THE INTER-RELATIONSHIP BETWEEN BUILDING FACADE STREETScape DESIGN AND MARKETING STRATEGY. WITH THIS IN MIND, THE COMMUNITY IMPROVEMENT PLAN IS FORMULATED WITH A VIEW TO BALANCING THE INTER-RELATED CONCERNS.

11/24/87

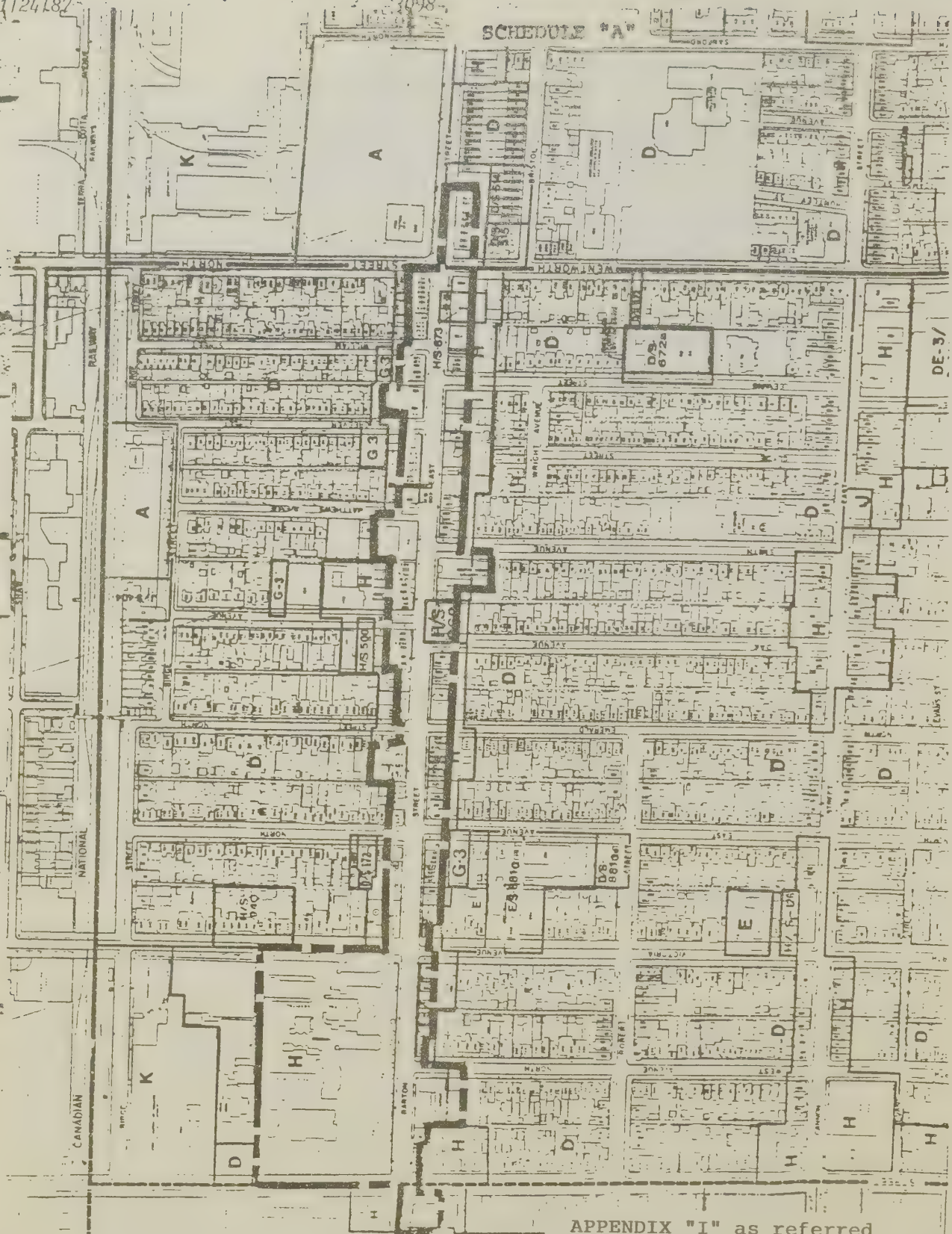
-3096-
GUIDELINES

- LIMITED TO BUSINESS IMPROVEMENT AREAS (B.I.A.'s).
- ALL LOANS AT AN INTEREST RATE HALF OF THE CITY'S PRIME BORROWING RATE.
- MAXIMUM LOAN AMOUNT \$15,000. FOR FACADE AND EXTERIOR RENOVATION.
- MAXIMUM LOAN FOR FACADE \$10,000.
- LOAN AMORTIZED OVER TEN YEARS (OPEN).
- THE BUILDING ENVELOPE WOULD BE INSPECTED, INCLUDING EXTERIOR SHELL (FOUNDATION, EXTERIOR WALLS, ROOF, FIRE ESCAPES AND CHIMNEYS). ANY DEFICIENCIES WOULD HAVE TO BE CORRECTED BEFORE FACADE IMPROVEMENTS (STORE FRONTS, AESTHETICS, SIGNAGE, ETC.) WOULD BE CONSIDERED.
- LOAN SECURED BY LIEN ON TITLE. PROFESSIONAL FEES (ARCHITECTS, ENGINEERS, APPRAISERS, SOLICITORS, ETC.) ELIGIBLE EXPENSE.
- OWNERS ONLY COULD MAKE LOAN. HOWEVER, TENANTS COULD WORK WITH LANDLORDS, BUT LANDLORD MUST TAKE THE FINANCIAL COMMITMENT.
- EQUITY MUST BE SUFFICIENT TO COVER OUTSTANDING PROPERTY COMMITMENTS INCLUDING CITY LIEN.
- REPAYMENT WILL BE ON A MONTHLY BASIS BUT OPEN TO FULL REPAYMENT AT ANY TIME AT NO PENALTY.
- ALL MONEY COLLECTED ON REPAYMENT TO BE PLACED IN A RECYCLABLE ACCOUNT TO CONTINUE PROGRAMME AFTER ORIGINAL CAPITAL BUDGET ALLOCATION.
- MAXIMUM LOAN TO ANY ONE OWNER \$50,000.
- UNIT ELIGIBILITY WILL BE BASED ON LATEST REVISED BUSINESS ASSESSMENT ROLLS.
- LOANS TRANSFERABLE TO NEW OWNER PROVIDING NEW OWNER MEETS AND AGREES TO TERMS AND CONDITIONS OF LOAN.
- THE OWNER WILL OBTAIN TWO ESTIMATES FOR BUILDING ENVELOPE BASED ON INSPECTION, AND TWO FOR FACADE IMPROVEMENTS WANTED BY OWNER. (THE BUILDING DEPARTMENT WILL APPROVE THE ESTIMATES BASED ON THEIR INSPECTION). A FULL REPORT WILL BE PREPARED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT INCORPORATING OUR RECOMMENDATIONS AND THE BUILDING DEPARTMENT'S. THESE, WITH THE APPLICATION, WILL THEN BE FORWARDED TO THE PLANNING AND DEVELOPMENT COMMITTEE AND CITY COUNCIL FOR APPROVAL.

- PROPERTY TAXES MUST BE CURRENT.
- IF COST OF FACADE IMPROVEMENT EXCEEDS \$1,000., THE OWNER WILL BE REQUESTED TO OBTAIN THE SERVICE OF A DESIGN CONSULTANT TO ENSURE COMPATIBILITY WITH THE SURROUNDING PROPERTIES. ANY COST FOR THIS SERVICE WILL BE ELIGIBLE FOR FUNDING UNDER THE PROGRAMME.
- ONLY COMPLETED WORK WHICH HAS BEEN INSPECTED WILL BE PAID FOR.
- EXTERIOR REHABILITATION WORK WILL, IF AT ALL POSSIBLE, BE DONE FIRST BEFORE FACADE IMPROVEMENT.

3098

SCHEDULE "A"



APPENDIX "I" as referred to in Section 13 of the 22nd Report of the Planning & Development Committee

11539

11/24/87

APPENDIX "K" as referred
to in Section 16 of the
22nd Report of the
Planning & Development
Committee

- 1(a) -

6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- ~~(i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;~~
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 22,000 square feet, upon the hereinbefore described land by not later than September 28th, 1988

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
2. That the transferee shall complete construction of the said building by not later than September 28th, 1989.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Continued.....1(b)

(For Land Titles, May, 1983)

- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

11/24/87

APPENDIX "J" as referred
to in Section 14 of the
22nd Report of the
Planning & Development
Committee

- 1(a) -

6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 12,000 square feet, upon the hereinbefore described land by not later than July 26, 1988

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than July 26, 1989

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Continued.....1(b)

(For Land Titles, May, 1983)

- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.
- 6.6 With respect to Lot 43's 197 foot frontage on Lancing Drive, the Purchaser of Lot 43 acknowledges:
 - (a) that the portion of Lancing Drive adjacent to and in front of the Easterly 70 feet, more or less of the Lot 43's frontage on Lancing Drive is, at this time, an unimproved steep hill in no condition whatsoever (neither graded, gravelled nor paved) so as to permit any vehicular or pedestrian movement to or from the Easterly 70 foot frontage, more or less of Lot 3 and Lancing Drive;
 - (b) that due to this condition of the said 70 foot portion more or less of the adjacent Lancing Drive that the City may, in its discretion, now or in the future, decide to stop-up, close, retain and/or dispose of that unimproved portion of Lancing Drive; and,
 - (c) that until the privately owned land lying to the East of the Easterly dead-end limit of Lancing Drive is acquired and/or dedicated to the City and assumed by the City of highway purposes so as to permit the extension of Lancing Drive including the grading and surfacing of the portion thereof in front of and adjacent to the Easterly 70 foot frontage more or less of Lot 43: (i) that it is uneconomic for the City to grade, surface or keep in repair, the said Easterly 70 foot portion, more or less of Lancing Drive;
 - (ii) that Lot 43 is being sold to him for the sale price herein and on the other terms hereof on this understanding; and,
 - (iii) the Purchaser hereby agrees that he will not and shall not require for access to his Lot 43, any portion of the said Easterly 70 feet, more or less of Lancing Drive.

(For Land Titles, May 1983)

- 1(a) -

6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 17,000 square feet, upon the hereinbefore described land by not later than September 29, 1988

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than September 29, 1989 .

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Continued.....1(b)

- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

11/24/87

* REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-THIRD** Report for 1987 and respectfully recommends:

1. That the Hamilton Beach Concept Plan, Final Report, September 1987, prepared by Moore/George Associates Inc., Landscape Architects, **BE APPROVED**, in principle.

NOTE: For the information of the members of City Council, the Planning and Development Committee has agreed that the Beach Steering Committee should continue to meet in order to oversee the implementation of the Concept Plan.

For the further information of the members of City Council, staff have been directed to prepare a Neighbourhood Plan for the Hamilton Beach.

Copies of the Plan were distributed previously to the members of the Planning and Development Committee. Copies are available from the Secretary.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING & DEVELOPMENT COMMITTEE

Susan K. Reeder
Acting Secretary
1987 November 24

* **TWENTY-THIRD** Report of the Planning and Development Committee added during Council.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its EIGHTEENTH Report for 1987 and respectfully recommends:

- * 1. That the Regional Municipality of Hamilton-Wentworth be requested to pay 50% of the City of Hamilton's cost of providing administrative support services to the City of Hamilton Aldermen. This cost sharing would reflect the work done on Regional business.

Note: The Finance Committee at its Special Strategy Meeting on the 1988 Budget which was held 1987 October 30th, requested the Legislation Committee to review the possibility of charging the Region for the support services provided by the secretarial staff of the Legislative Division on Regional business on a full cost basis, and report the cost saving to be gained.

The Legislation Committee at their meeting held 1987 November 16th endorsed the principle of charging the Region for the cost of the Aldermen's support staff working on Regional business.

- 2. That the request of the Director of Income Maintenance, Regional Social Services, to have Santa and his elves canvas City Hall staff on Thursday, 1987 December 3rd for donations to the Salvation Army Christmas Toy Bureau, be approved.

Note: Candy Canes will be sold for \$1 each for this donation campaign.

- 3. That the request of the Hamilton Wentworth Children's Aid Society to erect a Christmas Tree on the first floor of City Hall for the purpose of fundraising for the Children's Fund, be approved.

Note: The theme of the tree will be "Christmas is for Children" and a box will be secured at the base of the tree for donations. This is the first venture of this concept by the Society, and corporate sponsors are now being requested to help with the running of this Project on an annual basis.

* Section 1 Amended to read:

- 1. That the Region's Legislation Reception Committee be requested to consider a mechanism allowing municipalities to charge back some of the support costs for Regional Councillors' work.

11/24/87

4. That approval be given to the action of the Legislation Committee in granting civic silver pins to the members of the West Mountain Baseball Association for their recent win as All-Ontario Provincial Triple A Bantam Champions.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

S. K. Reeder, Secretary
1987 November 16

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its SIXTEENTH Report for 1987 and respectfully recommends:

1. Approval of the following changes in the staff complement of the Department of the Director of Property:
 - (a) The deletion of the position of Chief Property Officer, Salary Schedule "K", \$36,575.24 - \$43,053.92 per annum. This deletion to take effect on the retirement of the incumbent.
 - (b) The replacement of the above position with a Senior Property Officer/Appraiser, Salary Schedule "A 15", \$32,999.72 - \$37,760.32 per annum.

Note: The above will reflect savings from \$5,600 to \$10,900.
2.
 - (a) That effective upon approval of City Council, the benefit package for Hamilton City Council Members be updated to include the increased benefits approved for employees covered by the Collective Agreement entered into by The Corporation of the City of Hamilton and Local 167, C.U.P.E.
 - (b) That in the future, when an enhanced benefit package is approved by City Council for Local 167, C.U.P.E., those enhanced benefits shall be automatically passed on to Hamilton City Council Members, provided that such benefits are allowed to Hamilton City Council Members under the terms of the plans.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT SECTION 2 BE REFERRED BACK TO THE PERSONNEL COMMITTEE FOR FURTHER REVIEW. CARRIED.

11/24/87

3. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1987 November 9, as set out on the list attached hereto as Schedule "A".

Respectfully submitted,

ALDERMAN M. KISS, CHAIRPERSON,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1987 November 18.

SCHEDULE "A"

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

Referred to in Section 3 of the
Sixteenth Report of the Personnel
Committee.

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Jacinto Arruda	Labourer	Parking Authority	new position	B-2	\$408.61 per week	87/10/26
Mr. John Bliss	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Paul Bloomfield	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Fred Bouwmeester	Equipment Mechanic II	Central Garage Division of Public Works	replacing Mr. F. Franchi - resigned	D-11	\$11.907 per hour	87/10/26
Mr. Gregory Brown	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Peter Christie	Foreman II - Horticulture	Parks Division of Public Works	replacing Mr. P. Booker - promoted	12C	\$27,862.12 per annum	87/10/13
Mr. Derek Churm	Lieutenant	Fire	replacing Mr. R. E. Bell - promoted	C-7	\$42,193.25 per annum	87/10/25
Mr. Steven Clarke	Traffic Serviceman II	Traffic	replacing Mr. M. Cosentino - promoted	A-3	\$379.13 per week	87/10/27

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Diane Collins	General Assistant (Curatorial)	Culture and Recreation	new position	K-8	\$9,500 per hour	87/09/29
Mr. Steve Cowie	Lead Hand (Trees)	Public Works	replacing Mr. F. Lalonde - transferred	D-11	\$12,107 per hour	87/10/05
Mr. Dean Crabbe	Traffic Serviceman II	Traffic	additional staff	A-3	\$379.13 per week	87/11/02
Ms. Maryann de Gooyer	Stenographer IV	Public Works	returning to permanent position	E-2	\$326.45 per week	87/10/26
Ms. Gloria Dewey	Control Room Clerk	Parking Authority	new position	PA6	\$318.24 per week	87/10/13
Mr. Enio DiNardo	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Ms. Sharon Dion	Historical Interpreter	Culture and Recreation	replacing Ms. Diane Collins - promoted	DC-3	\$6,319 per hour	87/10/19
Mr. Gunter Dohnt	Roller Operator	Public Works	replacing Mr. J. Short - retired	D-11	\$12,107 per hour	87/09/21
Ms. Frances Donnelly	General Assistant (Curatorial)	Culture and Recreation	new position	GA	\$9,500 per hour	87/09/28

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Melvin Elzinga	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Dennis Farkas	Lieutenant	Fire	replacing Mr. D. Clark - promoted	C-7	\$42,193.25 per annum	87/10/25
Mr. Gerald Giles	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Martin Glavac	Lead Hand (Trees)	Public Works	replacing Mr. S. Magdic - promoted	D-11	\$12.107 per hour	87/10/05
Mr. Ross Ham mill	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mrs. Annie Holmes	Labour Relations Officer	Human Resources Centre	replacing Mr. J. Johnston - promoted	J	\$41,486.64 per annum	87/10/19
Mr. Kirby Klassen	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Dennis Kneisz	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Geoffrey Knowles	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Miss Karen Knox	Stenographer III	Building	additional staff	E-3	\$348.03 per week	87/10/13
Mr. Victor Koschanow	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Leonard Krawesky	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Randolph Lowell	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Daryl Lowry	Street Sweeper Operator	Public Works	replacing Mr. T. Rinaldo - transferred	D-9	\$11.715 per hour	87/09/09
Mr. John Manojlovich	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Trevor McAnuff	Chief Stage Electrician	Hamilton Place Division of H.E.C.F.L.	replacing Mr. T. Taylor - resigned	J1H	\$41,121.60 per annum	87/10/04

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Margaret Mogford	Receptionist/Typist	Convention Centre Division of H.E.C.F.L.	additional staff	5	\$16,511.04 per annum	87/10/05
Mr. Donald Morrow	Zoning Examiner & Code Correlator	Building	additional staff	A-10	\$624.08 per week	87/10/05
Mr. Mark O'Hoski	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. William Olmsted	Street Sweeper Operator (Nights)	Public Works	replacing Mr. B. Vukmanich - transferred	D-9	\$11,715 per hour	87/10/12
Mr. Jonathan Price	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. Kevin Purcell	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mrs. Zelitte Race	Stenographer I	Building	replacing Mrs. B. Spolnik - promoted	E-5	\$424.55 per week	87/10/19
Ms. C. Jean Sinclair	Historical Interpreter	Culture and Recreation	replacing Ms. K. Mulligan - resigned	DC-3	\$6,319 per hour	87/10/19

Prepared 1987 November 09

11/24/87

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Mark Stevens	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. John (Todd) Turner	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Ms. Monique Vandeworp	Control Room Clerk	Parking Authority	new position	PA6	\$318.24 per week	87/10/13
Mr. Pasquale Vigna	Traffic Serviceman II	Traffic	replacing Mr. G. Manning - promoted	A-3	\$379.13 per week	87/11/02
Mr. Shawn Vint	Probationary Firefighter, 1st 12 months	Fire	additional staff	N1	\$27,300.50 per annum	87/10/05
Mr. David Walker	Traffic Serviceman II	Traffic	additional staff	A-3	\$379.13 per week	87/10/27
Mr. Kenneth Weiler	Probationary Firefighter, 1st 12 months	Fire	replacing Mr. J. Harvey - resigned	N1	\$27,300.50 per annum	87/10/05
Mr. Ronald Wilson	Finance Officer	H.E.C.F.I.	new position	11	\$24,348.48 per annum	87/10/05
Mr. James Whittle	Probationary Firefighter, 1st 12 months	Fire	replacing Mr. J. Gerry - retired	N1	\$27,300.50 per annum	87/10/05

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Randolph Wiepjes	Probationary Firefighter, 1st 12 months	Fire	replacing Mr. D. Girt - retired	N1	\$27,300.50 per annum	87/10/05
Mr. John Zellmann	Probationary Firefighter, 1st 12 months	Fire	replacing Mr. A. Tinson - retired	N1	\$27,300.50 per annum	87/10/05

11/24/87

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Horace Curtis	Foreman II (Sanitation)	Public Works	retirement	35 years & 5 months	87/09/30
Mr. Scott Dodson	Turf General Foreman	Parks Division of Public Works	resigned	5 years & 7 months	87/11/06
Mrs. Evelyn Gallaher	Information Clerk	City Clerk's	retirement	22 years & 6 months	87/11/30
Mr. James Gerry	Firefighter I	Fire	retirement	32 years & 10 months	87/11/01
Mrs. Elizabeth Bilobrk	Stenographer I	City Clerk's	resigned	9 years	87/10/30
Mrs. Patsy Morgan	Sales Executive	Hamilton Convention Centre Div. of H.E.C.F.L	resigned	4 years & 8 months	87/10/26
Mrs. Mary Rowles	Demonstrator	Culture and Recreation	resigned	9 years & 11 months	87/10/09
Mr. Thomas Taylor	Chief Stage Electrician	Hamilton Place Division of H.E.C.F.L	resigned	14 years & 2 months	87/09/16
Mrs. C. Lauretta Yates	Historical Interpreter	Culture and Recreation	resigned	3 years & 11 months	87/10/05

Prepared 1987 November 09

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. John Avery	Acting Manager of Purchasing (temporary)	Purchasing Div. of Treasury	replacing Mr. T. Bradley - off sick	LS	\$43,450.68 per annum	87/10/19
Mrs. Deborah Bourque	Clerk III - Printing & Mailing (temporary)	City Clerk's	replacing Ms. L. Everets - promoted	E1	\$333.48 per week	87/10/19
Ms. Lynda Everets	Microfilm Technician I (temporary)	Treasury	replacing Mrs. C. Rising - off sick	E-2	\$351.68 per week	87/10/05
Mr. Randy Guenther	Foreman II (Cleaning Operations-Nights) (temporary)	Public Works	replacing Mr. L. Torresin - promoted	12C	\$27,862.12 per annum	87/10/13
Mr. Brad Park	Motor Mechanic (temporary sick relief)	Central Garage Div. of Public Works	replacing Mr. J. Peachey - off sick	D-17	\$14.157 per hour	87/10/06
Ms. Carol Sindall	Lifeguard I (temporary)	Culture and Recreation	replacing Ms. L. Royle - maternity leave	CH-5	\$357.72 per week	87/10/05
Mr. Steve Teal	Counter Clerk (temporary)	Building	replacing Ms. D. Minore - promoted	A-3	\$379.13 per week	87/10/13
Ms. Kathleen Wilson	Lifeguard I (temporary)	Culture and Recreation	replacing Ms. C. Gauthier - promoted	CH-5	\$357.72 per week	87/09/08

Prepared 1987 November 09

11/24/87

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Richard Vincent	Dispatcher (temporary On Call)	City Clerk's	replacing Mr. G. Ritchie - promoted	G-3	\$10.274 per hour	87/10/22

Prepared 1987 November 09

11/24/87

-3120-

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Suzanne Bullis	Museum Intern (temporary)	Culture and Recreation	completion of grant *	11 months	87/09/09

Prepared 1987 November 09

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **TWENTIETH** Report for 1987 and respectfully recommends:

- * 1. That a one-time only grant in the amount of \$25 000. be made to Hamilton Wentworth Creative Arts Inc., to be used to assist in offsetting an operating deficit incurred during their current fiscal period, and that this amount be financed from the 1988 budget allocation for General Grants.

- 2. That a purchase order be issued to Provincial Traffic Signs, Port Perry, in the amount of \$11 898.40 including applicable taxes for the supply and delivery of Galvanized "U" Channel Posts for Purchasing Stores in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of seven (7) tenders received. Funds provided in Stores Inventory Account No. 0395-1023.

- 3. That the account of Terence A. Whelan dated January 6, 1987 in the amount of \$1 815. for services rendered on behalf of William Cockman be paid.

Note: Action was commenced against William Cockman, former Director of the Visitors' and Convention Bureau, by Daniel Kljajevich by Supreme Court of Ontario, Writ issued July 23, 1980. Mr. Kljajevich was the operator of an airport limousine taxi service (Casino Limousines) and claimed damages for conspiracy to injure him in his trade relations against Mr. Cockman, former Aldermen Frederick Lombardo, James Campbell and James Bethune, former airport manager Sidney Mitchell and former Mayor Jack MacDonald. City Council obtained Special Legislation to assume and pay all costs and legal expenses as may be incurred from time to time and the full amount of any judgment as may be awarded in these actions. Mr. Whelan acted for Mr. Cockman. As this matter has been completed, the Committee is recommending payment of his account in the amount of \$1 815.

* Recorded Vote, see page 3046

4. That the lease with Ronald and Donna Side for City lands at 409 Queen Street South be terminated as of September 30, 1987 and that approval be granted to lease approximately 16 240 square feet of City lands at 409 Queen Street South to Murray, Joy and Richard Tonello for landscaping purposes.

The rental will be \$10. per year plus taxes commencing October 1, 1987 and the lease to be automatically renewed each year upon 30 days written notice by the Lessee.

The City Solicitor be authorized to prepare the necessary lease.

5. (a) That the Treasurer be authorized to implement the attached schedule of users fees for services performed by the Treasury Department, effective January 1, 1988.
- (b) That the City Solicitor be directed and authorized to prepare an amendment to By-law 71-69 to provide for an increase in the fee charged for the issuance of a Treasurer's Tax Certificate.

6. (a) That replacement computer tape drives be leased from Kompro Leasing of Markham, Ontario as follows:

One IBM 3803 - 2 Tape Control (used)	\$ 360. per month for 36 months
Two IBM 3420 - 8 Tape units (used)	\$ 262. per month for 36 months
One IBM 3480 A22 Tape Control	\$1 592. per month for 60 months
One IBM 3480 B22 Tape unit	\$ 953. per month for 60 months

Note: Monthly costs (including maintenance) represent a saving of \$383. per month as compared to the current units in service.

Funds are provided for in Account No. 0323-25-84 (Leasing). No additional funds are being requested.

- (b) That this agreement with Kompro Leasing be in a form satisfactory to the City Solicitor.
7. (a) That the Treasurer be authorized to report to the Federation of Canadian Municipalities (FCM) that an estimated additional federal sales in excess of \$2 000 000. may be borne by the municipal property tax base for City of Hamilton services only as a result of the proposed federal sales tax reform.

11/24/87

- (b) That the City of Hamilton re-affirm its support of the Federation of Canadian Municipalities in their efforts and meetings with Finance Minister Wilson to protect municipal interests by objections to the transfer of taxation to local governments and property tax by the proposed imposition of a multi-stage sales tax.
- (c) That this resolution be circulated to all local members of Parliament and and members of the Legislative Assembly.
8. That the Treasurer be authorized to allocate funds from the Reserve for Replacement of Mobile Equipment, Account No. 0280-01 for the replacement of vehicles as summarized below.

<u>Section</u>	<u>Number of Vehicles</u>	<u>Estimated Amount</u>
Garage Pool	26	\$ 295 932.
Fire	3	140 000.
Parking		
Authority	1	18 000.
Public Works	36	2 521 800.
Traffic	<u>5</u>	<u>268 000.</u>
Total	<u>71</u>	<u>\$3 243 732.</u>

Respectfully Submitted,

ALDERMAN P. O. VALERIANO, CHAIRMAN
FINANCE COMMITTEE

John Thompson, Acting Secretary
November 17, 1987
mjw

11/24/87

-3124-

City of Hamilton
Treasury

SUMMARY OF PROPOSED USER FEES
TO BE CHARGED BY THE TREASURY DEPARTMENT
EFFECTIVE JANUARY 1, 1988

	<u>Level of Activity</u> (1)	<u>Present Fee</u> (2)	<u>1987 Projected Revenue</u> (3)	<u>Proposed Fee</u> (4)	<u>1988 Projected Revenue</u> (5)	<u>Increase in Revenues</u> (6)
Tax Certificates	15,000	\$ 7	\$105,000	\$ 10	\$150,000	\$45,000+
Local Improvement Enquiries	2,000	\$ 15	\$ 30,000	\$ 20	\$ 40,000	\$10,000+
Tax Registration	50	\$300	\$ 15,000	\$500	\$ 25,000	\$10,000+
Subdivision Compliance	2,000	-	<u>-</u>	\$ 15	<u>\$ 30,000</u>	<u>\$30,000+</u>
TOTAL			<u>\$150,000</u> =====		<u>\$245,000</u> =====	<u>\$95,000+</u> =====

1987 November 13

12/01/87

CH4 ON FILE
M21
1987

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, DECEMBER 1, 1987
6:45 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship
Mayor Robert M. Morrow.

PRESENT: Alderman T, Murray, Acting Mayor.

Aldermen Valeriano, Hinkley, Copps, Christopherson, Wheeler,
Smith, Gallagher, Merling.

The Clerk read the notice calling the meeting.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried,
that Council move into Committee of the Whole to consider the following
report, with Alderman Ross in the chair.

* * * * *

(E) LEGISLATION COMMITTEE - NINETEENTH REPORT.

Recorded vote on the report.

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano,
Hinkley, Christopherson, Wheeler, Smith, Gallagher,
Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole on the above report,
be adopted. -

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson,
Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

URBAN MUNICIPAL

FEB 15 1988

GOVERNMENT DOCUMENTS

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bill be now read a first time.

E-26

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bill, with Alderman Ross in the chair.

E-56.

Consideration of the Bill (second reading).

Recorded vote on Bill E-56.

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bill be adopted. -

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bill be now read a first time.

E-56.

YEAS: Alderman Murray, Acting Mayor; Aldermen Valeriano, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling. - 8.

NAYS: Alderman Copps. - 1. CARRIED.

12/01/87

City Council adjourned at 7.55 p.m.

* * * * *

* REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its NINETEENTH Report for 1987 and respectfully recommends:

1. That Clauses (i) (ii) (iii) of Subsection 2 of Section 29 of Schedule 4, of By-law 85-57, which amended Licence By-law No. 79-323, be repealed and the following substituted:
 - (a) For the first 1/8 of a kilometer or part thereof
.....\$ 2.00
 - (b) For each additional 1/8 of a kilometer
.....\$.10
 - (c) For waiting after engagement, for each 30 seconds
or part thereof after the first 30 seconds
.....\$.10

NOTE: For the information of the members of City Council, the Legislation Committee at their meeting held 1987 November 16th, requested information on what other municipalities are charging for taxi rates. The following are the rates presently in effect for:

Mississauga	- \$2.00	Flag	- \$.78	a kilometer
London	- \$1.55	Flag	- \$.90	a kilometer
Ottawa	- \$1.95	Flag	- \$.91	a kilometer
Toronto	- \$1.70	Flag	- \$.79	a kilometer
Windsor	- \$1.65	Flag	- \$.80	a kilometer

As can be seen from the above, the City of Hamilton is at the high end for the initial base charge. However, the City is presently the lowest at \$.70 for each kilometer travelled thereafter.

2. That leave be granted to introduce the following bill:

- (a) Bill E-26 Taxi Cab Fare Increases.

Respectfully submitted,

Alderman D. Christopherson
Acting Chairman
Legislation Committee

Susan K. Reeder, Secretary
1987 November 30th

* Recorded Vote, see page 3125

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25072	BLUE/BLEU	BU2507
25073	R. BLUE/BLEU R.	BB2507
25074	GREY/GRIS	BD2507
25075	GREEN/VERT	BP2507
25077	TANGERINE	BA2507
25078	RED/ROUGE	BF2507
25079	X. RED/ROUGE X.	BX2507

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